WEEKS & CO. BINDERS, LONDON, N.W.1

REPORTS

FROM

COMMITTEES:

SEVEN VOLUMES.

—*(5.)*—

PILOTAGE BILL;
THAMES NAVIGATION BILL.

Session

8 *February* —— 10 *August* 1870.

VOL. IX.

1870.

REPORTS FROM COMMITTEES:

1870.

SEVEN VOLUMES:—CONTENTS OF THE

FIFTH VOLUME.

N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

PILOTAGE BILL:

343. Report and Special Report from the Select Committee on the Pilotage Bill; together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index - - - - - - p. 1

THAMES NAVIGATION BILL:

261. Special Report from the Select Committee on the Thames Navigation Bill; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix - - - - - - - - 759

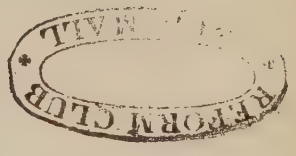
REPORT

AND

SPECIAL REPORT

FROM THE

SELECT COMMITTEE



ON THE

PILOTAGE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
8 and 12 *July* 1870.

Thursday, 24*th February* 1870.

Ordered, That the Pilotage Bill be read a second time, and committed to a Select Committee.

Wednesday, 9*th March* 1870.

Ordered, That the Select Committee do consist of Nineteen Members.

Committee nominated—

Mr. Childers.
Mr. Graves.
Mr. Stevenson.
Mr. Cave.
Mr. Norwood.
Sir Henry Selwin-Ibbetson.
Mr. Grieve.
Mr. Pemberton.
Sir Charles Wingfield.
Mr. Charles Turner.
Mr. Philip Wykeham Martin.
Mr. John Stewart Hardy.
Mr. Thomas Brassey.
Mr. Malcolm.
Mr. William Philip Price.
Sir John Hay.
Mr. Gourley.
Colonel Bourne.
Mr. Shaw Lefevre.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Five be the Quorum of the Committee.

Thursday, 17*th March* 1870.

Ordered, That all Petitions presented during the present Session in favour of or against the Pilotage Bill be referred to the Select Committee on the Bill.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Friday, 8*th July* 1870.

Ordered, That the Committee have power to report the Minutes of Evide nce taken before them to The House, and that leave be given to the said Committee to make a Special Report.

REPORT - - - - - - - - - - - - p. iii
SPECIAL REPORT - - - - - - - - - - p. iii
PROCEEDINGS OF THE COMMITTEE - - - - p. xxxi
MINUTES OF EVIDENCE - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - p. 507

REPORT.

THE SELECT COMMITTEE to whom the PILOTAGE BILL was referred, have considered the said Bill and taken Evidence thereon, and which they have agreed to Report to The House; and have gone through the Bill, and made Amendments thereunto.

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the PILOTAGE BILL was referred, have agreed to the following SPECIAL REPORT:—

YOUR Committee have taken evidence as to the present state of the law from the Permanent Secretary to the Board of Trade, and from Sir Frederick Arrow, the Deputy Master of the Trinity House, speaking in his individual capacity. They have also taken evidence from the different ports at which compulsory pilotage exists, for and against the Bill; and, finally, they have before them the evidence taken by the Committee of 1860, and from ports where pilotage is totally voluntary, in favour of the Bill.

By compulsory pilotage is meant a system which, partly in order to provide for the safety of ships and partly in order to secure employment and remuneration for pilots, requires that all ships, or certain classes of ships, frequenting the port, shall employ them. It is difficult, without going into great detail, to give a complete and accurate account of the extent to which this system has prevailed, or still prevails, since not only does it exist in some ports and not in others, but where it does exist the exemptions vary in many different ways. In fact, the existence or non-existence of the obligation and the nature and extent of the exemptions from it differ in such an arbitrary and capricious manner as to show that they must have arisen from local and special legislation without reference to general principles of any kind. Generally speaking, however, compulsory pilotage exists in its most complete form at Liverpool, Dublin, on the Upper Clyde, at Bristol, and at some other smaller ports. In the London Trinity House districts, including the Thames, and most of the out-ports on the south coast, in Hull, and in some other ports, the system has been very largely modified by exemptions of different kinds; whilst in all the ports on the east coast north of Hull, at Cork, Cardiff, Newport, and Gloucester, as well as at many other smaller ports, there is no compulsory pilotage whatever. A Return of the compulsory and non-compulsory districts has been laid before your Committee, by which it appears that the number of licensed pilots employed in districts where there is some kind of compulsion is 1,828; whilst in those where there is no compulsion whatever the number is 1,066. Appendix A., No. 20.

When steamers first began to take a large part in the short trades, and from that time till after the repeal of the Navigation Laws, complaints Farrer, 12 *et seq.*

were made against compulsory pilotage, especially on the part of coasting steamers. In 1848 an Act, 12 & 13 Vict. c. 88, was passed, enabling pilotage authorities at their own discretion to examine masters and mates, and, if they should be found competent, to give them certificates authorising them to pilot their own ships. This Act being permissive only, was acted on by the Trinity House and some other bodies, but to no great extent, and the complaints against compulsory pilotage still continued. In 1853 another Act, 16 & 17 Vict. c. 129, was passed, by which the Board of Trade was enabled, in case of refusal by any pilotage authority to examine masters or mates for pilotage certificates, to examine them itself, and to grant certificates exempting them from compulsory pilotage. These enactments were re-enacted in 1854, in Clauses 340 to 344 of the Consolidated Merchant Shipping Act of that year, and still remain law. They are limited, however, in their operations by provisions that the certificates granted under them shall only apply to ships owned by the same owner, and that the names of the ships shall appear on the certificate ; and every master or mate has to pay to the pilotage fund of the ports for which he is licensed the same fees upon the grant or renewal of his license which a regular pilot has to pay. Under these clauses a good many masters and mates have been examined. In a Return of this Session (No. 88, Parliamentary Paper, 1870), the numbers of masters and mates examined under this Act at the different ports and receiving certificates in the years 1868, 1869, are given. From these numbers it seems that the practice at the different ports differs largely. Thus the numbers of the largest ports for 1869 are as follows :—

Trinity House of London (including London and outports)	240
Liverpool	10
Glasgow	133
Hull	283
Bristol	30
Dublin	34

Since 1859, when the present pilotage authority was constituted in Liverpool, in most cases the pilotage authorities, acting with the knowledge of the power possessed by the Board of Trade, have themselves conducted the examination.* In a few cases the Board of Trade have had to examine.†

At Liverpool the pilotage authority for long refused to examine at all ; and only gave way upon the resolute expression of intention on the part of the Board of Trade to examine themselves. It appears that the Board have examined all applicants ; but very few masters have obtained certificates, as will be seen from the above figures.

There can be no doubt, however, that the effect of these clauses has been restricted by the conditions above referred to, and still more by the operation of the law of liability referred to below.

A further alteration of the law, having an opposite tendency, was made in the same year, 1854. In 1851 a compulsory examination of masters and mates in the foreign-going trade was first introduced. In 1853–4 the question arose, whether to extend this examination to the home (or short foreign and coasting) trade. It was determined to do so with respect to passenger vessels only. The question then arose, to what the examination should extend. Seamanship was of course to be required, but as regards navigation, the thing needed was rather local than general knowledge. To meet this, it was determined to make all home trade passenger ships subject to compulsory pilotage in all ports where there are licensed pilots, unless the master or mate should obtain certificates enabling them to pilot their own vessels, either under the clauses above referred to, or under a special provision inserted for the purpose of enabling the Board of Trade more easily to grant certificates when the local authorities should make difficulties. (*See* Clauses 354, 355 of the Merchant Shipping Act.) A new species

* Parliamentary Paper, 455, 1862, Nos. 102, 103, 104; Parliamentary Paper, 532, 1864, Nos. 50 to 59; in these Papers the question of compulsory pilotage is discussed at some length between the pilotage authority at Liverpool and the Board of Trade.

† At Arundel, Waterford, and Boston. *See* Parliamentary Paper, 455, 1862, Nos. 138 to 166.

species of compulsory pilotage was thus introduced, with a new form of exemption.

The Act of 1854 further provided, with respect to compulsory pilotage, that pilotage should continue compulsory where it was then compulsory (section 353); and that all existing exemptions should continue in force (section 353); and that every pilotage authority should have power, with the consent of Her Majesty in Council, to exempt any ships, or classes of ships, from compulsory pilotage (section 332). These clauses, coupled with those relating to the Trinity House pilotage, are full of apparent inconsistencies, and have led to much doubt and litigation. The tendency of the courts has been on the whole to favour the exemptions.* And some bye-laws have been passed removing some of the inconsistencies by extending the exemptions.†

Compulsory pilotage is enforced by virtue of section 353. If a ship which is not exempted fails to employ a pilot who offers, the master is liable to a penalty of double the pilotage, which is recoverable, not by civil process, but under the rules of law applicable to criminal proceedings. This has been the cause of great complaints and gross hardship, especially in the Thames. A pilot alleges that a ship has refused his services at Gravesend. The ship has gone (say) to Shields. He gets a warrant from the magistrates there, and sends it down to Shields with a policeman to arrest the captain. The captain, to avoid being carried up to Gravesend as a prisoner, is forced to pay whatever is asked.‡ Farrer, 30 *et seq.*

The only alteration in the law since made is by the Act 25 & 26 Vict. c. 63, s. 41 (1862), which was intended to exempt ships from compulsory pilotage when merely calling for orders or otherwise passing through a pilotage district without loading or discharging. It is however so worded that in the opinion of the law officers it does not exempt a ship calling for orders where the ultimate port of destination is not known at the time when she calls. It is construed as exempting a ship which puts into Falmouth in distress, or which passes through the Downs or Yarmouth Roads on her way to Hull or Newcastle, or through the Solent on her way to London. But it is supposed not to exempt a ship which puts into Falmouth in order to learn where she is to go.

In order to complete this outline of the law of compulsory pilotage, it is necessary to notice one of its most important consequences, viz., the exemption of the shipowner from liability for damage done by his ship when the ship is placed in charge of a pilot by compulsion of law. Farrer, 39 *et seq.* Squarey, 2376 *et seq.*

The first enactment on the subject was the 52 Geo. 3, c. 39, s. 30 (in 1812):—

"No owner or master of any ship shall be answerable for any loss or damage for or by reason or means of any neglect, default, or incompetency of any pilot *taken* on board of any such ship, *under or in pursuance of any of the provisions of this Act.*"

The Pilot Act of 1825–6, Geo. 4, c. 125, which repealed the former Act, contained a section (sec. 55) in nearly the same terms. It exempted the owner from responsibility, not only when the fault was that of a pilot employed by compulsion of law, and also when the fault was that of a pilot acting in charge of the ship in pursuance of the Act, as explained in Lucey *v.* Ingram, 6 Meeson and Welsby, 302.

This enactment was repealed by the Merchant Shipping Act Repeal Act of 1854 (17 & 18 Vict. c. 120), and was replaced by the 388th section of the Merchant Shipping Act of that year, which is in the following words:—

"No owner or master of any ship shall be answerable to any person whatever for any loss or damage occasioned by the fault or incapacity of any qualified pilot acting in charge of such ship within any district where the employment of such pilot is compulsory by law."

The immunity of the shipowner is confined by that section to cases in which the damage is occasioned by the fault of the pilot acting in charge, where the employment of such pilot is compulsory by law. All doubt was also removed as to the immunity being applicable throughout the United Kingdom.

Before

* *See* R. *v.* Stanton, quoted in Dr. Lushington's judgment in Earl of Auckland, Parliamentary Report, 455, 1862, No. 92.

† *See* Parliamentary Paper, No. 455, 1862, Nos. 1 to 17.

‡ *See* Parliamentary Paper, No. 455, 1862, sections 37 to 41, pp. 39 to 46, case of the "Chase." *See* same Paper, sections 78 to 84, case of "Martha Alida."

Before the first of these enactments, it appears that the Courts of Admiralty had always held the ship doing the damage responsible, notwithstanding that she was in charge of a compulsory pilot. And after the passing of the Act 52 Geo. 3, c. 39, Lord Stowell and Sir John Nichol, feeling the hardship caused by the exemption, refused to apply it on grounds which have been repudiated by later decisions.

These decisions have proceeded on the principle that where the law takes the ship out of the charge of the owner and his servants, and places her in charge of another person, it is a just and logical consequence that the owner should be relieved from responsibility for the acts of that person; and it has been laid down by high authority, that this consequence would follow from a mere legal obligation to employ a pilot, even if there were no express statutory provision exempting the owner from liability; but at the same time the courts have felt the hardship of the exemption as against the ship suffering damage, and have confined its application, by a very strict application of the principle adopted by them. They have held, that the employment of the pilot must be compulsory at the time. They have also held, that wherever the casualty could be traced in any degree to the act of the master and crew, the owner was liable, and they have thrown on the owner the burden of proving that the casualty was caused by the pilot. These decisions have narrowed the injustice caused by the section, but have probably increased litigation, since the question whether a mistake was due to the pilot or the captain or crew is one extremely difficult to determine, and very likely to be productive of false evidence.

At any rate, the effect of this law, coupled with the frequency of collisions arising from the more crowded state of our channels and harbours, and the speed of steamers, is very remarkable. If a vessel, navigated by a pilot, but commanded by a master who has passed his pilotage examination, does damage, the owner is responsible. If a vessel navigated by a pilot whom, for any other reason, the owner is not obliged to employ, does damage, the owner is responsible. But if the vessel is navigated by a pilot whom the law requires him to employ, then, whether the owner would or would not, for his own sake, have employed the pilot, he is free from responsibility, and there is, practically, no remedy whatever for the injured party. The consequences, when followed out, are most absurd and most injurious. The following are some of the practical absurdities and inconveniences of this state of the law:—

Appendix A., Nos. 1, 2, 3, and 4.

The whole class of smaller vessels which frequent our ports, and which never need a pilot, are deprived of all remedy when in collision with a ship which is compelled by law to employ a pilot.

The Admiralty Court is occupied with collision cases in which the question is, not which of two ships was in the wrong, and how much she ought to pay, but whether the one ship or the other, or both, was in charge of a compulsory pilot, and whether that pilot was or was not in actual charge at the time, and committed the fault which caused the collision.* This last question is one upon which it is most difficult to get at the truth.

Two ships, A and B, both of the same size and description, come into London, A from the North Sea, B from the Channel. Both employ a pilot. They get into collision. If A is in fault, B has a remedy; if B is in fault, A has none.

Two ships, A and B, say from Leith to London, both take a pilot at Orfordness. A has passengers; B has none. They get into collision. If A is in fault, B has no remedy against A: if B is in fault, A has a remedy against B.

Two ships again, A and B, bound from Havre to London, take pilots at Dungeness. The master of A has taken pains to pass a pilotage examination, and he has a pilotage certificate. The master of B has, perhaps purposely, avoided doing so. They come into collision. A has no remedy against B, whilst B has a remedy against A.

The object of the legislation of 1854 concerning passenger ships, viz. that of requiring, through the medium of compulsory pilotage, that masters shall learn to pilot their own ships, is thus defeated. Your Committee are informed that there has actually been a case in which the master of a Scotch passenger steamer

* *See*, for an instance of the questions raised, Dr. Lushington's judgment in "Earl of Auckland," Parliamentary Paper, 455, 1862, No. 94.

steamer asked the Board of Trade to contract the limits of a certificate which they had granted him, because his ability to pilot his own vessel exposed his owner to liability when in charge of a pilot.

Again, a ship bound to London takes a London pilot at Scilly or the Lizard; a very common case. For damage by collision westward of Dungeness, the owner is liable. For damage done eastward of Dungeness he is not.

Again, take the Bristol Channel. As above stated, ships bound to or from Bristol are bound to take a pilot up and down Channel. Ships bound to or from Cardiff, Newport, and Gloucester are not. A Bristol ship gets into collision with a Newport, Cardiff, or Gloucester ship, both having pilots. The Bristol ship has a remedy; the Cardiff, Newport, or Gloucester ship has none.

A further consequence of this exemption from responsibility, coupled with the doctrines laid down by the Courts concerning the relation between the master and the pilot, is to remove the responsibility from the master of the ship, and to prevent him from attempting to interfere with the management of the pilot, however bad that management may be. The following is an extract from the judgment of the Privy Council, in the case of Hammond *v.* Rogers, in the case of the "Christiana;" Moore's Rep. p. 171. Baron Parke, says, "The duties of the master and the pilot are in many cases clearly defined. Under ordinary circumstances we think that the pilot's commands are to be implicitly obeyed. To him belongs the whole conduct of the navigation of the ship, to the safety of which it is important that the chief direction should be vested in one only. It was never intended that, under ordinary circumstances, the master was to exercise any discretion whether he could obey the pilot or not. There may be extraordinary occasions when the master would be justified in disobeying the commands of the pilot. If from sudden illness or intoxication he becomes incompetent to command, the supreme authority would revert to the master during the pilot's temporary incapacity. It may be the same in the case of manifest incapacity of a permanent character; but any opinion upon these questions is unnecessary for the decision of the present case, as none of these circumstances occurred. The pilot has unquestionably the sole direction of the vessel in those respects whereon his local knowledge is presumably required." The same doctrine has been laid down by Dr. Lushington, and was relied on by the Court of Inquiry, in the recent case of the "Spindrift," as a reason for exempting the master from blame. The obvious tendency of such a state of the law is to induce the captain to abstain from all interference with the pilot, however necessary. If, in order to prevent obvious danger, he interferes, according to the above doctrines, he makes his owner liable for the consequences. If he goes below, or stands by and sees the pilot run his ship into danger, he knows that the law will free him and his owner from all blame or liability.

Your Committee have the strongest evidence of the mischievous tendency and bad effects of such a state of the law. All parties are agreed that, as a general rule, the master is the person who ought to be responsible for the navigation of his own ship, and that the pilot ought to be his adviser only, to point out to him the peculiarities of the local navigation. The captain knows the qualities of his own vessel and of his crew, which the pilot does not, and he acts under a stimulus which it is impossible to apply to a pilot. So much do many of the best and most careful shipowners feel this, that, in spite of the law and of the possible consequences to themselves, they direct their captains never to give up charge to the pilot, but to use him as a local adviser only; whilst others say that they think this the safe and proper course, but hesitate to adopt it for fear of making themselves liable for damage.

Duncan, 9565 and 9711 *et seq.*
Inman, 10363 *et seq.*
Lamport, 3598-9 and 3668.
Squarey, 2379 *et seq.*
Bouch, 10906 *et seq.*
Galloway, 4093-4153.

In confirmation of the above opinion concerning the state of the law, your Committee would refer to the Admiralty regulations on this point. The following is the 7th section of the Navigation and Pilotage Regulations: "The captain is to order everything that relates to the navigation of the ship to be performed as the pilot shall require; but, nevertheless, he and the master (that is, the navigating officer) are to attend particularly to his conduct, and if, from his or his mate's observations, he shall have reason to believe the pilot not qualified to conduct the ship, or that he is running her into danger, he is to remove him from his charge and to take such measures for the safety of the ship as the circumstances may require, noting the time of the pilot being so removed in the ship's log-book; and if the ship be damaged at any time through the ignorance or negligence of the pilot, but where a common degree

Holt, 11095.

of attention on the part of the captain and master would have prevented the disaster, those officers will be deemed to have neglected their duty."

Farrer, 84 *et seq.* Squarey, 2386 *et seq.*

Your Committee have also had evidence of the law of several foreign maritime nations on the question of exemption from liability where pilotage is compulsory. It appears that in New York pilotage is compulsory; but it has been decided by the Supreme Court that the owner is not thereby exempted from liability. In France, Holland, and Belgium, the law is the same as in the United States.

In the North German Confederation, the law is like our own, *i. e.*, compulsory pilotage carries with it exemption from liability.

This point is the more important, since, as will be seen below, some of the strongest supporters of compulsory pilotage are yet strongly of opinion that the present exemption from responsibility should be done away with.

The above are the most important features of the law of compulsory pilotage, generally. But it is difficult to understand its bearing without entering at some length upon the nature of the pilotage service at the different principal ports.

Your Committee have had before them detailed evidence from the following districts in which compulsory pilotage prevails :—

1. The districts under the Trinity House of Deptford Strond, comprising the Thames and all outports, for which special provision has not been made by private Act or Charter. These districts are situated for the most part on the southern, south-eastern, and south-western coasts of England and Wales.

2. The Mersey.
3. The Clyde.
4. The Humber.
5. The Bristol Channel.
6. Dublin.
7. Belfast.

The Trinity House District.

The Trinity House of Deptford Strond has the most extensive pilotage jurisdiction in the United Kingdom. It licenses pilots for the London district, extending from Orfordness on the north, to Dungeness on the south, and governs the pilots within these limits without the intervention of Sub-Commissioners. In 1853, the inward pilots from Dungeness to London, who had formerly been under the management of the Court of Loadmanage of the Cinque Ports, were transferred to the Trinity House, and now form with the outward pilots from London one joint service.

The Trinity House have from time to time shown readiness to meet the views of the Government, and the consequence is that their system, whilst still retaining the principle of compulsion, has been rendered more than usually anomalous by the number and extent of the exemptions.

Parliamentary Paper, 88, 1870.

They have always examined masters and mates of vessels fairly and liberally; and it appears that in 1869 there were 171 masters and 69 mates possessing certificates granted by them

The statutory exemptions to compulsory pilotage, as determined by the Merchant Shipping Act, 1854, s. 379, are as follows :—

(1.) Ships employed in the coasting trade of the United Kingdom.

(2.) Ships of not more than 60 tons burden.

(3.) Ships trading to Boulogne, or to any place in Europe north of Boulogne.

(4.) Ships from Guernsey, Jersey, Alderney, Sark, or Man, which are wholly laden with stone being the produce of those islands.

(5.) Ships navigating within the limits of the port to which they belong.

(6.) Ships passing through the limits of any pilotage district on their voyages between two places both situate out of such limits, and not being bound to any place within such limits, nor anchoring therein.

These

These exemptions are considerably wider than those which existed under former Acts.

As has been stated, all coasters are exempt, and all vessels from or to ports in Europe north of Boulogne. This last exemption originally applied to the London district only, and was extended for the Merchant Shipping Act, 1854, to the Trinity House outport districts. Some years ago, the Trinity House asked to have the exemption confined as before, but the Board of Trade refused to attempt to confine any existing exemption. (*See* Parliamentary Paper 455, 1862, Nos. 13 and 14. There is no consistent principle in these exemptions. Even as regards coasters the exemption is obsolete. In former times it may have been the case that coasters were a separate class, making shorter voyages, and consequently better acquainted with local navigation. This is not the case now. The shortest and most frequent voyages are in many cases those to the ports in neighbouring foreign countries, and vessels which one day are employed on a coasting voyage may the next day sail for a foreign port. The other exemptions are even less reasonable. A vessel from St. Petersburgh is as likely to need a pilot either in London or the outports as one from Havre; and a vessel from Antwerp or Havre is as little likely to require a pilot as one from Liverpool or Glasgow.

The Trinity House have also, with the sanction of the Queen in Council, exempted from compulsory pilotage all vessels which, having come to this country from foreign ports, proceed in ballast to load at another port; and they have so reduced the compulsory rates on ships passing through Yarmouth Roads as to make it not worth the while of pilots to force their services on vessels which do not want them; two grievances which were much complained of have thus been put an end to.

In the London District the appointment and service of pilots is extremely complicated, and this complication, coupled with the system of compulsory pilotage, and the numerous exceptions which have been made from it, has produced serious anomalies.

The different classes of pilots are very numerous.

1.—The Old Cinque Port Pilots.

Of these there are 59 now remaining. They are licensed to conduct vessels from Dungeness to London Bridge, and *vice versâ*, by the South Channel; and they have a system of contributions, and of pensions and allowances, distinct from those of the other Trinity House pilots.

Though licensed to conduct vessels out as well as in, their employment is practically confined to the inward pilotage. They meet inward-bound ships at Dungeness or the Downs, and are there put on board in rotation from cutters which are the property of the Trinity House and under Trinity House management, and which have their regular cruising ground at the above-named places.

2.—Inward Pilots by the South Channel, Licensed by the Trinity House since 1854.

Of these there are now 59. They have the same functions and position as the Old Cinque Ports pilots, except that they are only licensed as far as Gravesend, and are under the same rules so far as regards contributions and pensions as other Trinity House pilots.

3.—Trinity House, London, Outward Pilots, Licensed for the South Channel.

These live in London, and take ships from London Bridge or Gravesend to the Downs or Dungeness. Though licensed for inward as well as outward pilotage, they are practically confined to the latter, because it is not worth their while to wait at Dungeness in the cutters until their turn in rotation arrives. They are 52 in number; 43 of them are licensed for the outward pilotage in the North Channel also. Some of those licensed before 1854 have licenses for the whole of the waters between London Bridge and the sea, whilst all licensed since that time are confined to the waters below Gravesend.

4.—Pilots Licensed from Orfordness Inwards by the North Channel.

These are only licensed for inward pilotage, and they go as far as London. They are 62 in number. They cruise in cutters of their own, but under the control of the Trinity House Those licensed before 1854 pilot vessels up to London. Those licensed since that time only go as far as Gravesend: 43 of them are, as above mentioned, also licensed for the South Channel.

5.—Pilots Licensed Outwards by the North Channel.

These go from London to Orfordness. These licensed before 1854 take ships from London, whilst those licensed since that time go from Gravesend only.

6.—River or Mud Pilots.

These have been licensed since 1854, and pilot ships up and down between London and Gravesend. They are in number. The restriction of this pilotage to a distinct class was introduced in 1854 in consequence of application from the shipowners of London, who were then of opinion that a distinct body of men was needed for the service. Besides these, 50 of the North and South Channel pilots were licensed for this pilotage before 1854.

7.—Pilots for Home-Trade Passenger Ships.

The licenses of these pilots are confined to this class of ships. They were introduced in or shortly after 1854, when the employment of pilots by home-trade passenger ships was made obligatory, as above mentioned. Certain coasting steamers had previously been in the habit of employing unlicensed watermen to pilot them on the upper waters of the Thames, and, on their application, the Trinity House granted special licenses to these men. They are 22 in number.

The above pilots are all licensed after examination; are subject to the control of the Trinity House; may be deprived of their licenses for misconduct, and are bound to charge certain fixed rates, neither more nor less. In the case of outward pilotage generally, and also in the case of inward pilotage at Orfordness and Gravesend, the shipowner is not bound to take the pilot who offers in rotation, but may, if the circumstances permit, choose his pilot. At Dungeness the ship is obliged to take the first pilot who offers, and the pilots are compelled to offer themselves in rotation.

But besides the above body of licensed pilots there are large bodies of men who live altogether, or in part, by the pilotage of vessels trading to and from London, who are wholly unlicensed, are subject to no special rules, and have no special privileges. These consist of—

Duncan, 9570.

First.—The Deal Boatmen.—Of their capacity to handle large ships the licensed pilots speak disparagingly; but the shipowners state that they often receive valuable services from these men, and that they find them in places and under circumstances where the licensed pilots, sure of employment at their Dungeness station, are not to be found. The experience of the Board of Trade, in the recent cases of the "North" and the "Olivia," shows that some of these men, now under no control whatever, are capable, not only of making extortionate demands for salvage, but of pillage of wrecked property, and fraudulent collusion with captains for the purpose of getting up false and fraudulent claims.

Parliamentary Papers, 389 and 539, 1867.

Duncan, 9691 *et seq.*

Secondly.—Unlicensed men who take ships by the North Channel to or from the sea, or to or from the northern ports. No complaints are made of these by shipowners; and the Chairman of the Shipowners' Society says that some of these men are first-rate pilots and very clever men; and he points out that whereas a licensed pilot would cost a ship of 1,500 tons 50 *l.*, one of these men performs the service admirably for 12 *l.*

Thirdly.—Unlicensed watermen who pilot ships between London and Gravesend.—These men are freemen of the Watermen's company, and, like all other freemen of that Company, must have passed an apprenticeship of seven years on the river. But the number of free watermen employed in this pilotage is only a fraction of the whole number of free watermen employed on the river, and they are subjected to no special examination or test as to their capacity for this pilotage service. The number so employed is from 400 to 500, whilst the

the number of pilots licensed between London and Gravesend is only 70. Indeed it appears that on the Thames above Gravesend scarcely any captain ever takes his ship up or down without a pilot of some kind; and that as the number of licensed pilots is wholly inadequate for such a service, the unlicensed free watermen perform the greater part of it.

No complaints are made of the conduct of these men; and though some of the licensed pilots state that more collisions happen to vessels in their charge than to those in charge of licensed pilots, they have brought no figures to sustain the assertion. On the other hand, the Deputy Chairman of the Shipowners' Association of London, states that there are more accidents with licensed pilots than with watermen; the principal complaints by bargeowners have been of damage caused to them by collisions with steamers in charge of licensed and compulsory pilots, for which the injured bargeowner can obtain no redress. And even if collisions were more frequent with vessels when in charge of watermen, the fact would not be surprising, considering that the number of vessels piloted by watermen is greater than of those piloted by licensed pilots, and that watermen take vessels at all times of day and night, whilst the licensed pilots as a rule only go in the daytime. But the competency of the watermen for the navigation of the Thames is best shown by the facts of their employment. When the Trinity House licensed 23 watermen in 1854 for home-trade passenger ships, one of the reasons, as stated to your Committee by a licensed pilot, was that those steamers were in the habit of starting at all times of day and night, and at all times of tide; and that the licensed pilots would not undertake the responsibility of navigating ships unless free to choose their own time of starting. Again, it appears that two of the unlicensed free watermen were selected to pilot Government ships, and were afterwards licensed as pilots; that one of them earns 900 *l.* a year, and is employed largely in ships owned or managed by one of the Elder Brethren of the Trinity House; that another earns 500 *l.* a year, and is largely employed by two of the members of your Committee; that 25 of them earn 200 *l.* a year each, and that about 400 earn 50 *l.* each. And it is also proved that, whilst the licensed pilots' charges range, in the case of steamers or vessels towed by steam, from 18 *s.* for a ship drawing seven feet, to 3 *l.* 1 *s.* 6 *d.* for a vessel drawing 15 feet, and to 9 *l.* for a vessel drawing 23 feet, with intermediate charges in proportion, the charges of the watermen range only from 1 *l.* 5 *s.* to 2 *l.* A screw collier making 70 voyages a year would pay 420 *l.* for a licensed pilot, whilst she only pays 170 *l.* for a waterman; and yet this waterman makes 500 *l.* a year. It is further shown that some owners, when obliged to take licensed pilots, take also one of these unlicensed watermen.

Robinson, 12871.

Farrer, 59 *et seq.*, 409 *et seq.* App. A., No. 1, 2, 3, and 4.

Hinton, 9499. Robinson, 12772.

Pattison, 8754 to 8761.

Hinton, 9303.

See Scale of Trinity House rates, App. A., No. 14.

Hinton, 9244 to 9249. Spedding, 9053. Hinton, 9414 to 9416. Hinton, 9250. Duncan, 9701.

These watermen are liable at any time to be superseded by licensed pilots. But the pilots are clearly insufficient in numbers for the work, and they find practical difficulties in enforcing the law against vessels not subject to compulsory pilotage. As a matter of fact, whilst they do supersede the watermen when engaged in piloting foreign vessels trading to and from the Baltic, they do not interfere with them when employed in coasting steamers, or in sailing vessels not subject to compulsory pilotage, which, in consequence of the time they require, are much less profitable than steamers. These watermen, however, though so largely employed, are unable to get licenses under the present rules of the Trinity House, because they have not served 12 months at sea in charge of a vessel, or two years as mate.

Robinson, 12764.

Hinton, 9279 to 9297.

Under these circumstances it is not surprising that there should be many complaints.

The shipowners complain that at Dungeness they have no choice of pilots, and that if pilotage were less hampered by restrictions they would find the pilots at the places they want them, and be able to select the pilots they prefer, or at any rate to refuse to employ those to whom they object; and they point to the pilotage in the North Channel, and in the Thames about Gravesend, as showing that greater freedom produces equally good or better service at a lower price.

Duncan, 9568 to 9570. Robinson, 12754. 12767. 12887.

Some shipowners also complain of being obliged to take pilots at all when they do not want them, and of the harsh modes by which the pilots have enforced their right to employment.

Farrer, 30 *et seq.* Robinson, 12757.

The owners of small craft complain of the injury done them by vessels in charge of compulsory pilots, for which they have no redress.

App. A., No. 1, 2, 3, 4.

The Cinque Ports pilots, whilst alarmed at the prospect of the abolition of compulsory pilotage, and anxious to retain their present legal right to pilot inward-bound ships under compulsion, and to be protected against the Deal boatmen, desire that the cutters shall be placed under their own management, free from Trinity House control.

Millen, 7406. 7659.

The pilots who are licensed for the waters below Gravesend, whilst anxious to retain compulsory pilotage as against the shipowner, and their exclusive privileges as against unlicensed pilots, are anxious to have their own licenses extended to the waters between London and Gravesend; and they point out that the effect of the present change of pilots at Gravesend is to delay a ship often for some hours, and to impose on the shipowner a charge amounting in large vessels to 20 or 25 per cent. greater than is payable where the pilot's service is continuous from London to the sea, or *vice versâ*.

Spedding, 9004.

Spedding, 9123 to 9125.

The London pilots complain that, by requiring them to place their names on the list, and to serve in rotation at Dungeness, they are practically precluded from sharing in the inward pilotage of the South Channel, since it is not worth their while to stop at Dungeness for the purpose.

Spedding, App. A., No. 10.

The pilots by the North Channel urge that there is no reason why they should not be allowed to pilot ships both ways, *i. e.*, both inwards and outwards.

Spedding, 9009.

The Gravesend pilots, whilst desiring to retain Gravesend as a station, and to prevent the pilots between London and the sea from encroaching on the waters between London and Gravesend, also complain of the pilots licensed for home-trade passenger ships, and are anxious for greater powers to prevent the employment of unlicensed watermen by other vessels.

Hinton, 9316--18. 9341.

The unlicensed free watermen are perfectly satisfied with their voluntary employment, and with their present rates of payment; but they complain of the power of the licensed pilots to supersede them, a power which, if this Bill passes, will, they fear, be more largely exercised than it has hitherto been, since the licensed pilots may, if deprived of the power of making vessels pay for them which do not want them, seek to compensate themselves by superseding the watermen on vessels now left in the watermen's hands.

Wood, 12424 *et seq.*
Luton, 12545 *et seq.*

Amongst all these complaints there have been none, except on the part of pilots themselves, against the existing exemptions; nor has any evidence been given to show that either in the North Channel, where pilotage is practically voluntary, or in the upper waters of the Thames, where the greater proportion of vessels are free to employ a pilot or not, the principle of voluntary pilotage has worked unsatisfactorily either to shipowners or pilots. On the other hand, it appears that both in the North Channel and in the waters above Gravesend, the supply of voluntary pilots is ample and good, and that the voluntary pilots are well paid, and satisfied with their earnings. It is out of that part of the system which is compulsory, and not out of that part which is voluntary, that the complaints and difficulties above noticed have arisen.

Some of those complaints are, in the opinion of your Committee, well founded, and some are ill founded; but in both cases the conclusion to be drawn from them seems to be that the greater the freedom of contract and employment, the greater the prospect of satisfaction to employer and employed.

To what extent this freedom should go, and by what steps it should be introduced, are matters well deserving of consideration.

They are, however, with the exception of the obligation to employ a pilot, matters which it is in the power of the Trinity House to deal with, and in making the following suggestions, your Committee feel that much must be left to that body and to the Board of Trade.

It appears to your Committee that, so far as regards the Thames above Gravesend, little or no interference or control is wanted beyond the grant of a license to any man who may prove himself, either by long and successful practice or by examination, competent to conduct ships in those waters, with a power to withdraw the license in case of misconduct. From the experience of the free watermen, it seems that it is even unnecessary to fix a price, and that where, as in the Thames, a shipowner or captain has ample time and opportunity to make his bargain, absolute freedom in this respect has produced lower charges, more satisfactory service, and more ample remuneration to the best men, than a fixed charge. Your Committee, therefore, have inserted a clause in the Bill enabling the Trinity House, or, in the event of their refusing, the Board of Trade,

Trade, to license persons for this part of the river, without insisting upon the present conditions as to age, and service at sea.

But great consideration is due to the pilots who have undertaken their present licenses on the faith of the present system, and it will be necessary to proceed cautiously and by degrees.

As regards the rates, it is clear that, if they are to be fixed at all, they ought ultimately to be fixed at a rate not higher than that which compensates the skilled watermen; and as a step towards this end, the restriction which prevents a licensed pilot from demanding less than a fixed amount should be at once done away with. It is obvious that a licensed pilot is at a great disadvantage in competition with the watermen when he is not only authorised, but compelled, to charge twice as much as the waterman.

As regards the sea pilots, whether by the North Channel or the South Channel, your Committee see no reason why all of them, if competent to pilot vessels between Gravesend and London, should not be licensed for the whole distance between London Bridge and the sea. It is obvious that any unnecessary limitation in the employment of competent men, and any unnecessary change of pilots, must add to the cost of pilotage, and in this case it is proved to do so.

Applying this to the pilots of the North Channel, your Committee see no reason why the same licenses should not in all cases extend both to the outward and the inward pilotage, as has since 1853 been the case with licenses for the South Channel.

As regards the pilots of the North Channel, it is clear that whilst there is no want of employment for the 62 licensed pilots, who make incomes averaging 274 *l.* a year against 340 *l.* made by those in the South Channel, and no complaint, either concerning their inefficiency or the insufficiency of the service, yet that the number would be insufficient for the wants of the trade if it were not supplemented by a large number of competent but unlicensed men. The fact that there is ample employment for the licensed pilots, and the still more important fact that the pilotage in this channel is not compulsory, are, no doubt, circumstances which facilitate the employment of these unlicensed persons, and prevent the monopoly of an insufficient number of licensed pilots being felt as a grievance. It would, in the opinion of your Committee, be an improvement if the Trinity House were, by degrees, to enlarge the number of licensed pilots by this channel, so as eventually to embrace all the competent men; taking care, at the same time, that the rates do not exceed those which will command efficient service. Miller, 7322.

The most difficult questions arise with respect to the South Channel. It appears to your Committee, that the following questions deserve the careful consideration of the Trinity House, viz.:—

Whether some freer system should not be established with respect to the cruising ground of the pilots, so that if, as has been stated, pilots are often needed further down the channel, pilots may be encouraged to cruise and seek them there.

Whether, having in the meantime due regard to existing interests, steps should not be ultimately taken for granting licenses to all such Deal boatmen, or other boatmen, as may prove themselves to be competent and of good character,—This seems desirable not less for the purpose of completing the pilotage service, than for the purpose of preventing extortionate demands on the part of the boatmen.

As regards pilotage rates for all the sea-going pilots, it appears to your Committee that a maximum but not a mininum rate should be fixed: The evidence of the free watermen shows that a low charge with constant employment, whilst most advantageous to the shipowner, also produces the largest income to the pilot, and the licensed pilots should be as free in this respect as the watermen.

There is one point in the Trinity House system which calls for special remark, since it is in itself questionable, and also stands in the way of the various improvements suggested above. There is a large pension fund to which all Trinity House pilots, both in the London District and in the Outport District, contribute, and from which all on retirement receive pensions; but it is managed neither purely as a charity, nor on the strict principles of a benefit fund or insurance society. Each pilot contributes annually poundage, *i. e.* 2½ per cent. of his earnings, and each pilot on retirement receives a pension, not proportioned Trinity outport pilotage not yet referred to. Sir F. Arrow, 1435.

to what he has paid but to his length of service, and the highest rate of pension is 28 *l.* a year. In order to receive this pension, pilots in the London District must prove that they have not 75 *l.* a year of their own, and those in the Outport Districts that they have not 50 *l.* There is an accumulated capital of 88,000 *l.*

The principle of this fund is obviously unjust, since it makes the pilots who earn much contribute in proportion to their earnings, whilst it gives them only the same small pension as those who earn and contribute little, and deprives them even of this small pension if they have laid by a moderate sum for themselves.

The operation of the fund is also mischievous in impeding such reforms as those suggested above, since the vested interests of the existing pilots in the fund has to be considered when there is any question of adding to the number of existing pilots, or of altering their status and remuneration. Your Committee are of opinion that this system should be altered by winding up the present fund. In what manner this should be done—whether it should be made the basis of a new fund, founded on sound principles of insurance, or whether the pilots should in the Trinity House Districts be left to provide for their own retirement, as is the case in many other districts, are questions of detail, into which, as they do not materially or directly affect the subject of compulsory pilotage, your Committee do not think necessary to enter; and they content themselves with stating that they deserve the serious consideration of the Trinity House and of the Board of Trade.

As regards the principal question, viz., that of compulsory pilotage, your Committee reserve the general arguments affecting the Thames, as well as other ports, for a subsequent part of this Report. As regards the evidence specially affecting the Port of London, it has been proved to your Committee that whilst in 1854, and even as late as at the time of Mr. Lindsay's Committee in 1860, the principal owners of sailing ships in London were in favour of compulsory pilotage, not only have no London shipowners taken any active part against the present Bill, but at the same time, the Committee of the Shipowners' Society, representing many of the principal shipowners of London, have petitioned in favour of the abolition of compulsory pilotage; and their chairman, Mr. Duncan, and deputy chairman, Mr. Robinson, have given strong evidence in support of that petition, and have urged upon your Committee that much more freedom is required than is given by this Bill.

Farrer, 204 *et seq.*, 221 *et seq.*

Miller, 7360.

Duncan, 9550 *et seq*
Robinson, 12740 *et seq*

The steamship owners of the Port of London, daily increasing in importance, are and always have been against compulsory pilotage.

The Trinity House, who so lately as 1862 remonstrated with Mr. Milner Gibson against any relaxation of compulsory pilotage, have made no sign against this Bill, whilst they have, in the course of the last winter, officially suggested to the Board of Trade that the exemption from compulsory pilotage in those districts, hitherto confined to coasters, should be extended to vessels trading between the North Cape and Brest.

Almost the only evidence against the abolition of compulsory pilotage in the Port of London proceeds from the pilots who now derive supposed benefit from it. Even these witnesses limit their arguments rather to the amount of compensation they ought to receive than to the greater question whether compulsory pilotage should be retained; and some of the most intelligent of them have stated to your Committee that they have no apprehension of any loss of employment to themselves or their brother pilots if this Bill should pass.

Under these circumstances, and apart from the more general question, it is obvious that no case has been made for continuing compulsory pilotage in the Port of London; and it also appears to your Committee that the first step to be taken in order to remove the anomalies above referred to, and to place the system on a sound footing, is to free the shipowner from all obligation to take a pilot when he does not require one.

When this is done, and not till then, will it be possible to work out experimentally the further steps above referred to.

A considerable amount of evidence has been tendered to the Committee to show that the pilotage system of the Thames is in a very unsatisfactory state, and that it is expedient to create a distinct pilotage authority for the Port of London representing its trade and commerce, and your Committee concur in the necessity for such a change.

Your

Your Committee have also received evidence from the Chamber of Commerce of Falmouth, one of the outport districts of the Trinity House, who are unanimously in favour of the abolition of compulsory pilotage at that port. Fox, 12024.

Falmouth is an excellent natural harbour, and a great port of call. The harbour has no outlying difficulties, and masters who know the port can enter and leave it without difficulty. The mail packets which call there find the pilots so useless, that they pay for them without allowing them to come Fox, 12043. on board, and collisions frequently occur from the inexperience of pilots 12047. managing large vessels. On the other hand, there are many foreign vessels, which would take pilots, even in fine weather, and in bad weather they 12040. are much wanted for inward-bound vessels. Complaints are frequent that they are not to be found when and where they are wanted, whilst they force themselves on board when they are not. 12025. 12033. 12075.

The Mersey.

Next to the Trinity House districts, the most important pilotage district in the United Kingdom is that of Liverpool. One witness estimates the value of Danson, 3130. the property in ships and cargoes passing in and out of the Mersey in a year 3134. at 400,000,000 *l.*, and the number of lives at 400,000. It is also the port at which the question of retaining or abolishing compulsory pilotage has raised the greatest difference of opinion, and from which, in consequence, your Committee have received the largest amount of evidence.

The present Liverpool pilotage system dates from 1765, and a further Act Squarey, 2349. was passed in 1797. The regulation of pilots was entrusted to a committee appointed by a body of commissioners representing, or supposed to represent, the Corporation and various interests at the port. Under these Acts pilots were licensed, pilotage rates were fixed, and pilotage was made compulsory. In 1824 the Acts were consolidated and the system of owning pilot boats described below was first introduced. Subject to the general alterations in the pilotage laws of the United Kingdom mentioned above, these matters remained in this Squarey, 2351, condition until 1858. In that year the Mersey Dock Board, which had been 2352. constituted by an Act of the previous Session, brought in a consolidating Bill, and in pursuance of directions in the Act which created them, included in that 21 & 22 Vict. c. 90. Bill provisions concerning pilotage, and by the Consolidation Bill as passed, the local pilotage of Liverpool is now regulated.

The Mersey Dock Board themselves, elected by the dock and harbour rate- 2353. payers, with four members nominated by the Government, are the ultimate authority; but the immediate management is in the hands of a committee called the Pilotage Committee. It is appointed annually by the Dock Board, and consists of 12 members; four of them are required by the Act of Parliament to be persons who are not members of the Board, but who are familiar with the duties and qualifications of pilots, and the other eight members, making up the 12, are selected from the members of the Dock Board.

The pilotage district of the Mersey extends from Point Lynas, in Anglesey, to Fleetwood.

By the Mersey Docks Act, 1868, s. 129 (Pilotage), all inward-bound vessels are bound to take a pilot on arriving at the pilot station, and all outward-bound vessels are bound to take a pilot until they reach the Bell Buoy. If they do not take a pilot, they are, by the Local Act, compelled to pay pilotage; and by the Merchant Shipping Act, s. 353, the penalty of double 3. pilotage attaches. An opinion has been expressed that the Liverpool Act Squarey, 2404 *et* does not compel a master to employ a pilot or to put the ship in his *seq.* charge; but only compels payment of pilotage rates. It is, however, clearly 2496 *et seq.* proved to your Committee, not only that the general penal enactment in the Merchant Shipping Act applies to Liverpool, but that it has been decided by the highest authority, that the Liverpool Act itself makes the employment of the Farrer, 42 *et seq.* pilot compulsory; takes the ship out of the hands of the master and places her in those of the pilot; and relieves the owner from liability for damage done by his ship when under the charge of the pilot.

The exemptions from compulsory pilotage in Liverpool under the Local Act extend to coasting vessels under 100 tons, and to coasting vessels in ballast. Coasters pay only half pilotage. But vessels are not considered coasters if they have made a voyage to a foreign port within six months. Under this clause there are considerable anomalies. If a vessel under 100 tons has been engaged in trading (say) to Aberdeen or Newcastle, she is exempt. If such a vessel has been trading to those ports, or to nearer ports, such as Dublin or Bristol, and within six months has been to Brest or Havre, she becomes liable. If a large coasting steamer has any cargo on board she is liable. If she has no cargo, but has a full load of passengers, she is not, so far as the Local Act is concerned.

Simpson, 4483 to 4488.

A further practical exemption has been made in the case of coasting passenger ships. These ships, as conveying cargo, were subject to compulsory pilotage under the Local Act. This was much complained of, and in 1853 an arrangement was made with the pilots to the effect that those ships should be exempted altogether from outward pilotage; and as regards inward pilotage, that they should not be compelled to employ pilots so long as they paid 1 *s.* a foot to the pilots. They have since continued to do this, and do not as a rule take pilots; and pay the pilots a sum, which in 1869 was about 1,500 *l.*, for no service whatever. Their ships have been safely navigated by their own officers without casualties. This arrangement was confirmed by Order in Council, under the old Pilotage Committee, has continued under the present Mersey Board, and still exists.

Farrer, 143. Watson, 10696 to 10699. Simpson, 4474. 4482. Bremner, 4755.

The exemptions arising from examinations and licenses of masters and mates are very few at Liverpool. Only 10 possessed such licenses in 1869. Since 1859 only 36 have applied, and only 22 have passed. The reasons for this given by the different parties, differ. The officers of the Mersey Board state that the examinations are freely and fairly conducted, and that any competent man could pass; and the reason they allege for the paucity of applications is that the obtaining a certificate of exemption from compulsory pilotage would render the owner liable for damage. And in this they are supported by the evidence of some of the large owners of foreign-going shipping.

Parliamentary Paper, No. 70. Simpson, 4254. Hills, 2734. 2738. Squarey, 2397. Leyland, 9971. 10056.

On the other hand, it is clear that the former pilotage authorities in Liverpool long refused to examine at all under the Act, alleging as a reason the grave responsibility for life and property under which they laboured; an allegation which is curiously inconsistent with the arrangement which, as above stated, they had made with the coasting steamers; and the owners and captains of coasting steamers still appear afraid of applying to the Mersey Board. In fact, as the 1*s.* per foot is a small charge, they do not care much about the obligation; but as their ships, when carrying passengers, are, under the 354th section of the Merchant Shipping Act, required to take pilots, and as the Board of Trade have in some recent cases declined to grant certificates exempting from this obligation, and have referred the officers and employers to the Mersey Board, the question of examination by the latter is likely, if the law remains in its present state, to arise again.

Farrer, 148 to 154. Watson, 10695. 10757. Reynolds, 11030. Farrer, 150.

Under this system and its exemptions, it appears that there are about 48,000 vessels passing through the channels in and out of the Mersey, of which about 15,000 take pilots and 33,000 do not. The latter comprise the coasting steamers and a large number of small flats and coasters.

Hills, 2790.

The principal feature of Liverpool pilotage is founded on the importance of having the pilots stationed at given points in the approaches to Liverpool. There are 12 boats, of which six are cruising at one time. The one furthest out is near Point Lynas, in Anglesey, and the inner boats near the North-west Light Ship. So soon as she has discharged all her pilots into inward-bound ships she returns to port; the next boat takes her place, and so on, and another boat from Liverpool replaces the inner boat. Great pains seem to be taken to keep the boats on their stations. The pilots are put on board inward-bound ships in rotation, and their masters have no choice whatever. Even if a pilot has previously misconducted himself, and brought loss on the owner, he cannot refuse to employ him; nor can a vessel find a licensed pilot beyond the above stations.

Simpson, 4202 *et seq.* Couch, 10884.

As regards outward pilotage, the general rule is, that the pilot who brought the

the ship in takes her out; but this is not universal. If the pilot is ordered to go out, he must go; and if a shipowner particularly desires to have any particular pilot the choice is, under certain conditions, allowed him; but it does not appear that this choice is readily given, or much made use of. Simpson, 4246.

Compulsory pilotage ceases at the Bell Buoy, outside the Bar, and there was formerly a penalty for taking pilots further. But it was found very inconvenient that pilotage should cease at this point, which is often the point of the greatest difficulty, and consequently the penalty has been relaxed, and vessels are allowed to take pilots outwards as far as Point Lynas, and two pilot boats now cruise between the Bell Buoy and the North-west Light Ship to supply pilots to ships which, having got rid of their outward pilot, still find themselves in need of one. This pilotage is quite voluntary, has arisen out of the demand, and is much made use of. Hills, 2865 to 2884. Simpson, 4442.

A further important exception from the strict cruising system has been made in the case of the large and regular steamers trading to America, which call at Irish ports. In these cases the pilotage authorities have allowed the owners to select a pilot, who is attached exclusively to these steamers, and who goes out to Queenstown or Londonderry with one vessel, and returns in the next inward-bound vessel belonging to the same owner. There are at present 14 of such pilots attached to the vessels of seven different owners. The practice commenced in consequence of the dissatisfaction of Mr. Inman with the pilots he was obliged to employ, and was suggested by the superintendent of pilots himself; and it appears from the evidence of the superintendent of pilots, that the practice is extending, and that the pilotage authorities are willing to extend it. Simpson, 4247 to 4253. 4312 to 4315. Appendix (F.) Inman, 10240. 10244.

The pilots so employed, however, get no more than other pilots, and pay their earnings into the fund of the boat to which they are attached. Mr. Inman pays each of his three choice pilots 340 *l.* a year, of which only 180 *l.* goes to the pilot himself, the remainder going to the pilots who have not earned it, and to the boatowners as after mentioned. Simpson, 4314, 4321. Inman, 10256.

The number of pilots at Liverpool, including licensed apprentices, is 284, and there are beside 34 unlicensed apprentices. Their aggregate earnings in 1869 were 67,500 *l.* The average earnings of a first-class pilot are now 215 *l.* to 218 *l.*, being less by 30 *l.* than they were some years ago, and considerably less than the earnings at ports where the pilotage is voluntary. It will be reduced in 1872 by about 30 *l.* per man, in consequence of the cessation of the compensation for differential rates on foreign ships, a compensation which was given up by the Trinity House in 1825, but which was only put an end to in Liverpool and other outports by an Act of 1862. The falling off now perceptible is due partly to the larger size and smaller number of vessels, whilst the greater employment of steam, either in the vessels themselves or as tug power, and the consequent regularity in arrivals, enables a smaller number of pilots to do the duty. The pilotage authorities are now reducing the number of apprentices, allowing only six to a boat, instead of 10 as formerly; and the chairman of the Pilotage Committee states that whereas the present number is 318, only half of them are at sea at one time, and that from 250 to 280 would be sufficient for the port. Moss, 3825. Moss, 3821. Moss, 3832. 3841. Moss, 3834. 3831. 4015.

The earnings of the pilots in each boat are appropriated to that boat. They are paid to the treasurer of the pilots, who pays over 2½ per cent. to the Dock Board, on account of the Annuity Fund. The remainder is appropriated to the boat which has earned it, and is divided, according to the bye-laws, in the following proportions: Squarey, 2362. Holt, 11143. App. A., No. 15.

	Shares.
Owners of the boat - For the boat	2½
Owners of the boat - For each licensed apprentice	⅔
Owners of the boat - For all unlicensed apprentices	1½
Masters	1
Pilots, 1st Class	1
„ 2nd Class	⅚
„ 3rd Class	⅔
„ 4th Class	⅔

As given in more detail by the superintendent of pilots, this will be:

Simpson, 4173-4.

To boat-owners	Boat's share	2½
	4 licensed apprentices	2⅔
	– unlicensed „	1½
	To boat-owners	6⅔
3 masters		3
To pilots:		
16 first-class pilots		16
1 second-class pilot		–⅚
1 third-class pilot		–⅔
	Whole earnings	27⅙

Consequently, of the earnings, about one-fourth goes to the boat-owners, one-eighth to the masters, and the remainder to the pilots themselves, amongst whom it is divided in the above proportions. The aggregate earnings for 1869 were 67,500 *l.*, out of which 49,600 *l.* was paid to pilots and apprentices, and 16,000 *l.* to boat-owners. The average net earnings of each pilot for 1869 was 195 *l.*, the highest net earnings of any one pilot 210 *l.* This, as above mentioned, is considerably less than it has been in former years, and it will be diminished further next year.

Simpson, 4447.

Parliamentary Paper, 88, 1870.

Squarey, 2367. Simpson, 4175 *et seq.*

The system of boat-owning is very peculiar. They are owned in shares by pilots and superannuated pilots, in the following proportions:

34 Masters own	330 shares.
40 Acting pilots	200 „
20 Superannuated pilots	238 „
TOTAL	768

Out of the earnings of each boat, about one-fourth part as above mentioned goes to the boat-owners, who, on the other hand, have to pay the expense of working the boat, of maintaining her in good condition, and of replacing her when worn out. When the owner of any share dies, his share is put up to auction among the pilots or superannuated pilots, at a price fixed by the Mersey Board. If not bought at that price, the Mersey Board can allow the representatives to hold it for a year, and so on. The price and value of the shares depends, not on the cost and expense of the boat, but on the proportion of pilotage earnings allotted to her, which is the interest on the money thus invested. The average price per share paid for the last five years has been 118 *l.* The aggregate price paid by the pilots is thus, 90,700 *l.*, or according to the pilot's solicitor, 92,160 *l.* The aggregate value of the boats when originally built was about 30,000 *l.*; and as they have been built at different times from 1847 downwards, their present actual value must be much less. The working expenses of the boats are estimated at 5,000 *l.* Depreciation and insurance, that is, the cost of repairing and insuring, are estimated at 12½ per cent. on the actual value. Interest on 30,000 *l.*, at 5 per cent., would be 1,500 *l.*

Simpson, 4179. Appendix (J). Bremner, 4652. Simpson, 4194. 4449.

The actual sum paid to the boat-owners in 1869 was, as above stated, 16,000 *l.* Assuming the value of the boats to be 30,000 *l.*, the account would stand as follows:

	£.	£.
Sum paid to boat-owners		16,000
Actual expenses:		
Interest on capital	1,500	
Depreciation and insurance	3,750	
Working expenses	5,000	
		9,350
Leaving	£.	6,650

as

as a sum which is deducted from the earnings of the working pilots in order to pay interest at the rate of 9 or 10 per cent. to those of the pilots who have invested in the boat shares. But as the actual value of the boats is much less than 30,000 *l.*, this latter sum is, in truth, considerably higher. This practice was first established in 1824, and has been continued ever since, though pointedly condemned by the Royal Commission of 1836, and loudly complained of by many of the pilots. It is obvious that under it money earned by the pilots is devoted from the legitimate objects, viz., payment for services rendered, and that it is either an improper deduction from well-earned wages, or an unnecessary burden on the shipowner. It has also the effect of creating the opposition of a vested interest to any change in the system of cruising and of employing pilots, an effect which, under the present circumstances of the Liverpool pilotage, may be a very serious evil.

Squarey, 2367. Farrer, 714.

There is a pension or annuity fund arising from 2½ per cent. contributed by the pilots out of their earnings; the interest on 10,691 *l.* of invested capital, and certain balances from fees or licenses, and from penalties, making an income in 1869 of 2,306 *l.* The pensions are paid to superannuated pilots, their widows and orphans, making in the aggregate of payments in 1869, of 2,074 *l.* The pensions to pilots are about 27 *l.* per annum.

Simpson, 4270 *et seq.* Bremner, 4637.

Under these circumstances, very different opinions have been expressed by the Liverpool witnesses with respect to the present system.

Many of them are well satisfied with it as a whole, but wish for certain amendments, noticed below; whilst all admit that among the pilots are excellent men, that the remuneration of these men is too low rather than too high, and that the rates are very moderate.

On the other hand there are many complaints.

Some shipowners, even of those who support the present system, and some of the pilots, wish that the pilots should cruise further outwards in search of ships.

Most seem to be of opinion that the present boat-owning system is an evil, and some of the pilots complain bitterly of it.

It appears also to be admitted on all hands that the number of pilots is too large.

Some of the steam-ship owners, and others, are extremely dissatisfied with the results of the discipline administered by the pilotage committee. They say that complaints are not attended to, that pilots are inadequately punished, and that no system of regulation and discipline can have the same effect in procuring good service as free employment and free choice.

As regards the present Bill, the following are the points in the Liverpool evidence which seem worthy of remark.

The Mersey Dock Board passed no resolution on the subject, and were much divided in opinion. The Pilotage Committee of the Mersey Dock Board, a body composed of persons elected by the dock ratepayers, have sent up their secretary to give evidence against the extension of the Bill to Liverpool.

Squarey, 2537 *et seq.*

The Shipowners' Association of Liverpool, which represents the sailing shipowners, have passed a unanimous resolution in favour of the present system.

Squarey, 2571–73. Shallcross, 3428.

A Committee of the Steam-Ship Owners' Association of Liverpool have passed a unanimous resolution in favour of that part of the Bill which abolishes compulsory pilotage.

Squarey, 2574. Leyland, 9962.

As regards these two interests, it is to be observed that whilst the total entries and clearances of sailing tonnage in Liverpool have increased from 3,070,104 in 1850 to 3,867,697 in 1868, the tonnage of steamers has increased in the same period from 192,570 to 2,572,297, and is still increasing, and likely to increase in a still greater proportion.

The owners of small coasting vessels complain of having to employ pilots when they do not want them, and they also complain of the mode in which the rates are fixed, as unfair to small vessels.

The pilots are divided in opinion. Some of them are of opinion that the present system should stand, whilst others think that the change proposed by this Bill, whilst it may cause injury to the less efficient pilots, will in the end benefit those who are more efficient.

As a general rule, those who are in favour of compulsory pilotage, as well as those who are opposed to it, think the immunity from liability for damage when

Squarey, 2443. 2520.

the ship is in charge of a compulsory pilot to be a greater evil, on the grounds that it is unjust; that it causes litigation; that it tends to induce masters to give up the command of their ships to pilots; and that it tends to induce the pilot to collude with the master of the vessel to take undeserved blame upon himself. All, also, are agreed that the pilot should be the adviser of the captain and not his substitute. But there is a great difference of opinion as to whether it would be right to do away with the immunity without also doing away with the obligation to employ a pilot. On the one hand, Mr. Squarey, the able and experienced solicitor to the Dock Board, argues strongly from the practice of foreign countries in favour of retaining the compulsion and doing away with the immunity, and he is supported by Mr. Danson, Mr. Lamport, and Mr. Galloway. On the other hand, the whole of the witnesses who are opposed to compulsory pilotage, and the steam-ship owners generally, as well as some of the supporters of compulsory pilotage, argue with great force, that if a shipowner is compelled to employ a pilot he cannot justly be made liable for the acts of that pilot.

Danson, 3183. Lamport, 3581 *et seq.* Moss, 3868. Galloway, 4091. Leyland, 9962 *et seq.* 10184. Inman, 10243. Bouch, 10907 *et seq.* Squarey, 2376 *et seq.* Lamport, 3597, &c. Galloway, 4094. Leyland, 9968. Inman, 10253. Bouch, 10910. Judkins 2149. Ballantine, 3118. Shallcross, 3454. Squarey, 2400, &c.

A second point on which opponents of compulsory pilotage are agreed, but upon which its supporters are at variance, is as to the proper meaning and effect of compulsory pilotage. Mr. Squarey represents the view that compulsory payment is all that is required; that the obligation to pay is the important element; that this payment is like light or harbour dues, a tax is levied generally upon the trade of the port for the maintenance of a service which is at times necessary for, and is always available by all. And in this view he is supported by Mr. Lamport. On the other hand, Mr. Danson, Mr. Moss, and Mr. Galloway think that the more important element is the compulsory employment, for the sake not only of the vessel itself, but of other vessels and of the channels of the port.

Lamport, 3566. Danson, 3138. Moss, 3865. Galloway, 4094.

A further point on which there is great difference of opinion is that of the existing exemptions. The witnesses in favour of the Bill are of course for doing away with exemptions, by making them universal. The witnesses in favour of the present system are not equally unanimous. They are all, in principle, against the proposed exemptions, feel the anomalies they create, and would do away with them if they could. But the more cautious know that this is impracticable, and admit the necessity, if compulsory pilotage is continued, of continuing those anomalies.

Judkins, 2049. Squarey, 2456. Ballantine, 2980. Danson, 3139. 3232. Lamport, 3636. Moss, 3924. Simpson, 4241. 4361. Bremner, 4769. Leyland, 10017. Inman, 10263. Bouch, 10947 *et seq.*

Another point on which the opponents of compulsory pilotage are agreed, but on which there is not the same apparent agreement among its supporters, is connected with the boats' stations and cruising ground of the pilots. The opponents are agreed that the pilots are often needed much farther out than they are now found, and say that if the system were a free one they would be found on the coast of Ireland, would be largely employed, and would earn much more than they do at present. And they are fortified in this by the case of the 14 choice pilots employed by the North American steamers. Many of the pilots themselves are of the same opinion. Mr. Lamport, a supporter of compulsory pilotage, is also of opinion that the pilots should cruise farther. But the chief strength of the case in favour of compulsory employment of pilots is vested on the absolute necessity for maintaining in its integrity the present system of cruising stations, a thing which it is scarcely possible to do if a number of the pilots are to seek employment elsewhere. And it is to be observed that two of the strongest nautical witnesses in favour of this system, are Captains Judkins and Ballantine, of the North American Mail Steamers, who never make use of these stations, and who voluntarily take and pay extra for pilots from Cork and Londonderry.

Jones, 10581–3. Lamport, 3595.

Putting aside these differences, the main arguments of those who support compulsory payment of pilots, as distinguished from compulsory employment, are,—

1. That the approaches to Liverpool are exceptionally dangerous, and require exceptional treatment.

2. That if the employment of pilots is voluntary, they will be taken in bad weather, but not in good weather.

3. That under such circumstances, they will not keep the sea or look for vessels in bad weather.

4. That

4. That discipline and regulations, coupled with the knowledge that they must obtain employment, are more effective stimulants to energy and good conduct, than competition, and the expectation of good pay for good service. Lamport, 3570 *et seq.*

To these the advocates of compulsory employment, as well as compulsory payment, add that it is necessary pilots should be employed as well as paid. Danson, 3138. Moss, 3794.

1. For the safety of the ship herself, of the lives of those on board, and of her cargo.

2. For the safety of other ships which she may meet.

3. To prevent her from being wrecked and blocking up the channels.

Of these arguments, most are general, and are discussed below. As regards the special case of Liverpool, it seems desirable to make one or two observations. Comparatively little argument has been directed to the outward pilotage. The reason is probably twofold. First, the opponents of compulsory pilotage having to a certain extent a choice of pilots in Liverpool, and being for the most part owners who would under any circumstances employ a pilot, do not care so much about it as about the inward pilotage. Secondly, that part of the outward pilotages which is most dangerous, viz., that which is outside the Bell Buoy, is now entirely voluntary, is well maintained, and causes no complaints. This latter reason is one which in the opinion of your Committee has an important bearing on the whole system of compulsion. Hills, 2865.

As regards the statement that Liverpool is exceptionally dangerous; your Committee have the most positive evidence from a number of witnesses, not only that Liverpool is the most dangerous port in the kingdom, but that exceptional danger is a special reason for compulsion. Judkins, 2077; Hill, 2669; Ballantine, 2983; Danson, 3135; Lamport, 3645; Moss, 3886; Galloway, 4106; Simpson, 4166.

But it is not a little remarkable that most, if not all, of these witnesses, when pressed, expressly state that they know little or nothing of the nautical dangers of other ports, and that they are absolutely ignorant of the working of the pilotage systems at the numerous ports when it is voluntary. Judkins, 2151. 2075. 2127. 2199. 2244. 2256; Hill, 2840 *et seq.*; Ballantine, 3026. 3059; Danson, 3279. 3327. 3345; Shallcross, 3478; Lamport, 3641. 3650. 3771; Moss, 3888; Galloway, 4125; Simpson, 4527. 4529.

And, on the other hand, your Committee have strong evidence, from Liverpool shipowners and others, that the dangers of Liverpool have been much exaggerated, and that captains used to the port can, and do, bring their vessels in and out in safety. Leyland, 9985. 9969; Watson, 10703 *et seq.* 10745 *et seq.*; Bouch, 10914; Reynolds, 11021. Reynolds, 11016; Arrow, 1844; Castle, 7736; Tillman, 7774; Robinson, 12797.

And your Committee have also evidence of the most trustworthy kind, that the difficulties of the Thames are fully as great as, if not greater than, those of the Mersey. But even supposing the Mersey to be the more dangerous, the consequence, according to all experience, would seem to be, not that compulsion is requisite, but that pilots will, under a voluntary system, be the more needed there, and therefore the more employed.

The Humber.

The Committee have also received evidence from Hull. The pilotage of the district extends from Dimlinton, on the north of the mouth of the Humber, to Donnanook, on the south, up the Humber as far as Hull, and farther upwards up to Goole and Gainsborough. The pilots are licensed by the Trinity House of Hull, and are controlled by Pilotage Commissioners, consisting of representatives from the Trinity House, the Hull Corporation, the merchants, and the shipowners. There are 68 pilots between the sea and Hull, and 21 apprentices; and the number of pilot boats is seven, of which three are always cruising at the mouth of the Humber. The Trinity House have always examined masters and mates freely. The number possessing licenses in 1869 was 283; in fact, almost all the vessels belonging to Hull shipowners are thus exempt from compulsory pilotage. The earnings of the pilots are thrown into a common fund, and, after payment for boats, the office, and other expenses, are divided amongst them. The average amount received by each pilot for the last five years has been 148 *l.* All coasters are exempt, and all foreign-going vessels Bannister, 5549. 5542, 5543. 5546, 5547. 5589. Lumsden, 6221. Bannister, 5782. 5593. Brewis, 6069.

vessels drawing less than 6 feet of water; so that, practically, almost the only vessels subject to compulsory pilotage are foreign-going vessels, whose owners are not represented on the Hull Pilotage Commission.

Your Committee have received evidence from the Pilotage Commissioners, the shipowners, and pilots of Hull, in favour of retaining compulsory pilotage, and urging that the pilotage is exceptionally difficult, and that compulsory pilotage is necessary for the safety of the foreign ships which frequent the port; but in this case, as in that of Liverpool, it is remarkable that these witnesses know nothing of pilotage at ports where it is voluntary, and are not even aware that, in the North Channel of the Thames, the same class of ships, which in the Humber are obliged to take pilots, do as a matter of fact employ a large and well paid body of pilots without any compulsion whatever; and in the case of the Humber there is the additional fact, that the witnesses who advocate compulsory pilotage are themselves exempt from it.

App. A., No. 19. Josse, 12082 *et seq.* Oates, 12181 *et seq.* Arrow, 11860.

On the other hand, your Committee have had loud complaints of the incidence of pilotage rates on small foreign-going vessels trading to Goole and Gainsborough, and also from all the representatives of shipping at the port of Grimsby; and your Committee have also had conclusive evidence that there is nothing exceptional in the pilotage of the Humber.

Oates, 12229. Josse, 12112. 12138.

Your Committee have also had evidence that there is considerable dissatisfaction amongst the pilots. That the younger pilots wish to have an opportunity of earning more. That the seven cutters are far more than sufficient, and that establishment charges are large. That many of the pilots themselves would wish the pilotage thrown open, supposing that it would lead to larger employment of the better men.

12201 *et seq.*

Finally, your Committee have had evidence that whilst the Humber pilots, whose service is compulsory, and who cruise in numerous and expensive vessels under the pilotage authority, are often not to be found when wanted, there also a set of pilots licensed by the Trinity House of Hull, for the purpose of piloting vessels from the sea to Lynn, Boston, and Wisbeach, whose service is voluntary, and who cruise in all weathers in small and comparatively cheap but efficient vessels, and that these pilots are always to be found at sea when wanted, cruising from Flamborough Head to the Deeps, so that they not unfrequently bring even Humber vessels to the place when they can find a regular Humber pilot. In conclusion your Committee are of opinion that there is no substantial difference between the case of Hull or that of the North Channel of the Thames. The vessels frequenting both are of the same class and character, and in the case of the latter are already exempted from compulsory pilotage without any evil result whatever. Practically, compulsory pilotage in the Humber is confined to foreign vessels, and British vessels belonging to other ports, and for the most part these vessels, when navigating the North Channel of the Thames, take pilots without compulsion. There is, therefore, no good reason for retaining compulsion in the Humber.

See Parliamentary Paper, 70, 1870. Clegram, 1031 *et seq.* Drew, 6396 *et seq.*

Your Committee have also taken evidence from Bristol, and from the neighbouring ports in the Bristol Channel.

The Clyde.

Turner, 4775 *et seq.* Henderson, 4890 *et seq.* Allan, 5209 *et seq.* M'Kelvey, 5392 *et seq.* Alexander, 5436 *et seq.*

Your Committee have also received evidence from Glasgow against the Bill. It appears that pilotage is compulsory on all vessels above 60 tons burthen from Newark Castle above Port Glasgow to Glasgow. For a large part of the way the course of the river is tortuous, narrow, and artificial, and it is encumbered by an enormous traffic, and is being constantly dredged. According to all the witnesses, the assistance of a person accustomed to the navigation is necessary, not only for the vessel itself, but in order to prevent injury and obstruction to other vessels, to the navigation and to the works of the Clyde Trustees. The masters and mates of steamers navigating the Clyde are freely licensed to pilot their own vessels. In 1869, 125 were so licensed. An exception has been made by Order in Council in favour of vessels of a somewhat larger size when towed by steam tugs; but the exception has not been made use of. The evidence from Glasgow is strong and unanimous in favour of the present system, whilst it is equally

equally unanimous in favour of voluntary pilotage below Greenock. The case is a very peculiar one, and is more in the nature of harbour police and regulations than of pilotage.

The assistance of some person skilled in the navigation appears to be generally desirable, if not necessary. At the same time there seems to be little room to doubt that, without compulsion, vessels which require such assistance would, as a matter of course, take it. And the apprehension expressed by Glasgow witnesses that foreign vessels, ignorant of the dangers, would not do so, receives little countenance from the fact so distinctly proved to your Committee, that foreign vessels in non-compulsory pilotage waters do, as a matter of course, generally take a pilot; and that even in coming to Glasgow these vessels are in the habit of taking a pilot in the outer waters where no British vessel would think of taking one.

The Bristol Channel.

Pilotage within the Bristol Channel to the eastward of Lundy Island may be divided into two classes, viz.:

(*a*) Pilotage on the waters of the Channel itself, or Channel pilotage.

(*b*) Pilotage within local limits of, and adjacent to, ports and rivers of the Channel; or local pilotage. Rosser, 6882 *et seq.* Johnson, 12240 *et seq.*

As regards Channel pilotage, by the Act 47 Geo. 3, c. 33, s. 19, it was made compulsory on all ships bound to or from ports in the Channel to employ pilots licensed by the town council of Bristol.

This enactment placed the whole of the Channel pilotage of the Bristol Channel in the hands of Bristol pilots, hereinafter referred to as "Pill" pilots, from the name of the village at which they reside.

As regards local pilotage, Bristol had jurisdiction in certain ports under the Act 47 Geo. 3, whilst Acts were from time to time passed giving to certain authorities powers of compulsory pilotage within local limits, *e.g.*:

Gloucester	Obtained sub-commissioners under the Trinity House in London.	(Compulsory.)
Newport	The same.	(Ditto.)
Neath	The same.	(Ditto.)
Bridgwater	The same.	(Ditto.)
Port Talbot	Compulsory Act, 4 Will. 4.	
Llanelly	A Compulsory Act, 21 & 22 Vict.	
Swansea	A Compulsory Act, 17 & 18 Vict.	
Porthcawl	A Compulsory Act, 6 Geo. 4.	

In 1861, the year to which, for present purposes, it is necessary specially to advert, the ports of Gloucester and Newport (Monmouthshire), which had down to that year possessed compulsory local pilotage systems of their own, combined together and with Cardiff to throw off the Bristol yoke, the first and second as regarded the general Channel pilotage of ships proceeding to or from those ports, and the third as regarded local as well as Channel pilotage.

The result was that, under the Bristol Channel Pilotage Act of 1861, ships navigating the Bristol Channel, and bound to or from a port other than Bristol, became free of Pill pilots, so far as Channel pilotage was concerned, and in the three ports last named, voluntary local pilotage was established. In other ports of the Channel, compulsory local pilotage was continued.

At the present moment the only ships required by law to take a Channel

pilot when navigating the Bristol Channel are ships bound to or from Bristol; and, as regards local pilotage, the compulsory system is retained at

Bristol,	Swansea,
Bridgwater,	Neath,
Llanelly,	Port Talbot (formerly Aberavon),

whilst the voluntary system is established at

Cardiff, including Penarth,	Newport, Mon.,
Gloucester,	Porthcawl.

Not only was pilotage to and from Newport, Cardiff, and Gloucester, made voluntary by the Act of 1861, but these ports were enabled to license their own pilots for the Channel, certain reservations being made in favour of the then existing Pill pilots.

Although a ship navigating the Bristol Channel, unless bound to or from Bristol, is not required by law to take a pilot, still, if a pilot is employed at all, he must be a licensed pilot; and a licensed pilot can always supersede an unlicensed man, and claim pilotage money from the ship.

The gross sum spent by the shipowners in pilotage of vessels to and from the Bristol Channel Ports, was, in 1860, 41,308 *l.* 8 *s.*, and in 1868, 47,219 *l.* 7 *s.* 10½ *d.*, showing an increase of payments on the part of the shipowners of 5,919 *l.* 19 *s.* 10½ *d.* under the new system. As regards the distribution of this money, the following is the result, as shown by the Parliamentary Returns:—

	1868.				1860.			
		£.	s.	d.		£.	s.	d.
Bristol	compulsory	10,349	17	8	compulsory	19,560	7	5
Cardiff	voluntary	15,074	1	9	ditto	6,084	8	3
Gloucester	ditto	4,707	13	–	ditto	2,891	10	5
Newport	ditto	4,966	11	–	ditto	2,062	19	7
Bridgwater	compulsory	719	9	8½	compulsory	802	10	3
Llanelly	ditto	3,322	14	5	ditto	3,876	19	11
Swansea	ditto	5,601	2	3	ditto	4,091	10	7
Neath	ditto	1,926	5	7	ditto	1,766	15	1

At Cardiff, Gloucester, and Newport, the number of pilots has been augmented as follows:

	Number of Pilots in 1860.		Number of Pilots in 1868.	
Cardiff	Channel	0	Channel	54
	Port	43	Port	32
Gloucester	Channel	0	Channel	19
	Port	18	Port	20
Newport	Port and Channel	20	Port and Channel	28

At Bristol, the pilots have suffered; their numbers have fallen from 78 pilots and 19 apprentices in 1860, to 66 pilots without an apprentice in 1868.

It must however be borne in mind that this increase at Cardiff, Newport, and Gloucester, and falling off at Bristol, is not due to the retention by Bristol of the compulsory system, but is to be accounted for by the pilotage work finding its proper level, and so leaving the pilots at one port, and falling to the share of pilots at other ports, as soon as the Bristol monopoly was broken down.

As regards the earnings of the pilots individually.

The

The average net sum paid to pilots per man in 1860 and 1868 is as follows: —Each pilot keeps his own earnings, subject to deductions on account of maintenance of Boat Fund, &c.

	1860.	1868.	Increase.	Decrease.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bristol	152 4 –	89 – –	- -	63 4 –
Cardiff	- -	*163 12 5	—	—
Gloucester	155 – –	223 12 –	68 12 –	—
Llanelly	75 7 6	66 1 6	- -	9 6 –
Newport	80 – –	130 – –	50 – –	—
Swansea	95 10 –	83 5 –	- -	12 5 –
Bridgwater	50 – –	—	—	—
Neath	52 – –	54 – –	2 – –	—

The highest sums earned by any one pilot in 1860 and 1868 are as follows, viz.:—

	1860.	1868.	Increase.	Decrease.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bristol	388 3 6	306 13 3	- -	81 10 3
Cardiff	- -	446 14 7	—	—
Gloucester	249 7 6	330 6 3	80 19 3	—
Llanelly	115 15 4	92 9 1	- -	23 6 3
Newport	130 – –	254 – –	124 – –	—
Swansea	150 – –	155 – –	5 – –	—
Bridgwater	87 9 6	—	—	—
Neath	74 – –	82 10 4	8 10 4	—

These sums are liable to great reductions in some cases, including insurance, wages, and victualling of boats' crews, and wear and tear of boat.

In addition to the above facts it is proved that the change made in 1861 has proved perfectly satisfactory to the shipowners and pilots of Cardiff, Newport, and Gloucester; that the shipowner is better served at lower rates than he was under the old system, whilst the pilot is better paid. If the compulsory system had continued, there would have been a still larger sum spent on pilotage than has been actually spent; but it would have been money wasted. It would have been loss to the shipowner, and probably no gain to the individual pilots. Under the voluntary system the service has been what was required, and no more.

The Bristol pilots have suffered, because their business has been in part transferred to the pilots of Newport, Cardiff, and Gloucester. But it has been shown by your Committee that the effect of this has been to make their course far out, even as far as Falmouth and Cork, in search of inward-bound ships, especially foreigners. And as there are no fixed rates to the westward of Lundy, your Committee have not been able to ascertain whether the money earned for this outside pilotage, is or is not included in the above returns. If it is, the Bristol pilots have suffered less than would appear from the above returns. And, at any rate, they have been induced by the change of 1861, to offer their services to vessels which want them, instead of forcing themselves on vessels which do not.

It has been further proved to your Committee that the feeling at Bristol is in

* It is right to point out that the average net earnings of a Cardiff pilot proper exceed this sum. The sum of 163 *l.* 12 *s.* 5 *d.*, is estimated on the whole number of Cardiff pilots, including the 14 Pill pilots, who held supplemental licenses for Cardiff. To give the real earnings of a Cardiff pilot, the 14 supplementary Pill pilots should be omitted, as well as their earnings; and as their aggregate gross earnings from Cardiff only amounted to 336 *l.* 4 *s.* 6 *d.* in the year, out of the 15,074 *l.* 1 *s.* 9 *d.* earned at Cardiff, a large sum is left to be divided amongst the Cardiff pilots.

in favour of making the pilotage on Bristol trade voluntary, at any rate as far up as the Holms, and probably as far as Kingroad. And at Swansea, the feeling is in favour of making it voluntary, except from the Mumbles into the docks. As regards the Avon, from Kingroad to Bristol, and the pilotage into Swansea Docks, the local opinion is in favour of retaining compulsory pilotage, not for the safety of the ship, or the maintenance of pilots, but as a matter of harbour regulation. Considering, however, that all coasters are now free from pilotage in the Avon, and cause no accidents, that the masters of steamers are also licensed, that in the somewhat similar case of the Severn, from Sharpness upwards, where pilotage is voluntary, no vessel goes without a pilot, and that in the upper waters of the Thames, as above stated, pilots or skilled watermen are invariably and voluntarily employed, your Committee can have no doubt that, in the Avon and at Swansea, masters who do not know the river will of their own accord always employ pilots.

Acting on the representations made to the Committee by witnesses from Glasgow and Bristol that the so-called pilotage of the Upper Clyde and Avon were rather in the nature of compulsory regulations for the convenience of the traffic on those narrow channels, your Committee have inserted a clause in the Bill, giving to the harbour authorities of Bristol and of the Clyde power to make bye-laws for the proper regulation and police of the River Avon as far as Kingroad, and of the Clyde between Glasgow and Newark Castle.

Dublin and Belfast.

Doyle, 8585 *et seq.* 8645. 8597. 8652. Your Committee have also received evidence from Dublin and Belfast. At Dublin pilotage is compulsory on all vessels entering Kingstown or Dublin, except coasters under 50 tons. There are 40 pilots, who cruise in 12 cutters, which are maintained by the Port Board out of their earnings. Three-fourths of the pilots' earnings come from these coasters, who complain loudly of having to employ them. The pilot above referred to also states that, in consequence of the shifting banks, the currents, and the fogs, the dangers of the Dublin pilotage are very great. This evidence, however, is contradicted entirely by Captain Reynolds, who has frequented the port without a pilot for years. From the evidence of Mr. Watson, a member of the Port Board, it appears that that Board, which is a representative body, determined not to petition against the Bill, but only in favour of more speedy compensation. The experience of Dublin, as given by this witness, is interesting. It appears that immediately after the passing of the Act of 1849, the Ballast Board, who were then the pilotage authority of the port, agreed to exempt coasting steamers, on condition of their paying 150 *l.* a year for 10 years to the pilot fund. They now examine and license masters and mates freely; and in 1869 there were 34 licensed. In 1849 the revenue from pilotage was 6,356 *l.* In 1851, in consequence of the exemption of coasting steamers, it had fallen to 4,730 *l.*, and the fall of the pilotage establishment was prophesied. But by 1869 it had risen to 7,032 *l.*

Farrer, 165. 8600 *et seq.* 11034 *et seq.* Watson, 10690. App. A, No. 21. Watson, 10724.

It is obvious to your Committee that the only question at Dublin is the question of compensation.

Macfaren, 9759 *et seq.* Cochrane, 9804. Your Committee have had evidence from two shipowners at Belfast to the effect that compulsory pilotage is unnecessary in the Lough, but is necessary in the river, which is a channel three miles long and 70 yards wide, in order to prevent collisions, and blocking up of the Channel. To the same effect is the evidence of Benson, a pilot.

Reynolds, 11042 *et seq.* On the other hand, Captain Reynolds, of the City of Dublin Company, who has traded in and out of it for seven years, has stated that the pilotage is perfectly easy, that compulsory pilotage is quite unnecessary, and a great hardship on coasters.

No evidence has been received from any of the authorities at Belfast.

Though your Committee have been ready to receive any evidence against the Bill from other ports they have received none. And they have thought it unnecessary to call for evidence from ports where pilotage is voluntary, since it is notorious that the shipowners of those ports are not only entirely satisfied with the voluntary system in their own ports, but are decidedly in favour of the abolition in other ports, in which, as their ships frequent those ports, they have, of course, a strong interest. Nor has there been any attempt to produce evidence from any

any quarter to the effect either that the pilotage service in voluntary districts is inefficient, or that life and property are less safe in those districts, or that vessels which need pilots in those districts neglect or refuse to do so.

As regards the feeling of the ports on the north-eastern coast, your Committee desire to refer to the Report of Mr. Lindsay's Committee on Merchant Shipping in 1860, xx. to xxii., and to the evidence given before that Committee, especially that of Mr. Hudson as to the Tyne and Mr. Potts from Sunderland, expressing the views of the shipowners at those ports.

Your Committee conclude, therefore, by stating what appears to them to be the general effect of the opinions and arguments laid before them.

1. The present system is anomalous to the last degree, both in the extent to which compulsory pilotage is carried, and in its exemptions. But, except from Liverpool, no evidence of the least importance has been laid before your Committee in favour of doing away with these anomalies by extending the compulsion or diminishing the exemptions.

2. The exemptions have been largely extended by recent legislation, and, except that they have increased the anomalies, have given complete satistisfaction. Nor has any attempt been made to show that this great increase of exemptions has been attended by any increase of loss or danger. To attempt to diminish the exemptions would cause an amount of opposition and dissatisfaction which it would be impossible to overcome.

3. The opinion in favour of freedom in pilotage has, in recent years, gained greatly in strength. In London, where 20 years ago all the large shipowners were in favour of compulsion, there is now an almost unanimous feeling against it. And in Liverpool, where there is still a large majority of sailing shipowners in favour of compulsion, there is a minority against it, whilst the great and growing steamship interest are, with few exceptions, against the obligation.

4. Even amongst the pilots themselves there are many who see that the real interest of the abler and more energetic is better served by a system which enables them to make the most of their own services, than by one which, whilst securing them employment, deprives them of special reward for superior service.

5. This change of opinion is, in a great measure, due to the increase in steam shipping. These ships arrive and depart with regularity and navigate pilotage waters with speed and certainty. Where the voyages are short the officers themselves become excellent pilots. And where they still employ pilots the pilotage is comparatively short.

6. It is also due to the changed views of the shipowners on the subject of immunity from liability, and to their sense of the evil of the present legal relation between a captain and a compulsory pilot.

7. The above change of opinion does not imply that pilots are less needed or will be less employed than before. On the contrary, every shipowner and ship captain who has given evidence, except in the case of steamers, and small coasters making very short voyages, has expressed his own wish to employ pilots, and his opinion that all other prudent owners and captains will employ them. If less time is occupied in pilotage, and fewer pilots are required, it is due to the rapidity with which the pilotage service is performed.

8. The strongest evidence has been given that steam tugs are no substitutes for pilots, and that a pilot is as much needed with a steam tug as without.

9. Many witnesses who have supported the present Bill are in favour of a much larger measure of freedom than the Bill provides. Some of them desire that all restrictions on the numbers of licensed pilots should be removed; that pilots should be at liberty to cruise in search of ships where they find it most profitable to do so; and some of the evidence points to the expediency of free bargains with the pilots as to rates, at any rate in inland waters and in outward pilotage. But these witnesses look upon the abolition of compulsory employment as the first and necessary step towards other improvements in the system.

Such being the general effect of the views presented to your Committee, they proceed to consider the arguments by which the advocates of compulsory pilotage support its continuance.

The reasons alleged are as follows :—

1. That it is necessary, in order to maintain a competent supply of pilots.

A practical answer to this reason, seems to be, that in those ports of this country where pilotage is voluntary, the supply of pilots is as good as where it is compulsory ; at Cork as at Falmouth, on the Tyne as on the Mersey, on the north as on the south side of the Thames. Indeed, in the case of the Thames, it appears that the supply of pilots would be wholly insufficient for the work, if it were not that the licensed and compulsory pilots were supplemented by a large and very efficient class of unlicensed volunteers. And in the Mersey, on the other hand, under a strictly compulsory system, the supply of licensed pilots is so much too large, that the authorities are obliged to reduce the number, in order to provide adequate employment and payment for those that remain. In fact, where pilots are really wanted, they are as much employed and paid under a voluntary as under a compulsory system ; it may be said that, if this is the case, there is no hardship on the shipowner in compelling him to employ a pilot. But there is this great difference : if the employment is voluntary, the pilot must be efficient in order to obtain it ; and if he is efficient, he is likely to be employed. If the employment is compulsory, there is no effectual security for his efficiency. And there is the further great difference, that in the former case the responsibility rests with the employer, in the latter with the Government, Legislature, or pilotage authority ; in other words, with nobody.

Evidence to Committee of 1860.

2. That it is necessary for the protection of the ship, its crew, its passengers, and cargo.

In answer to this reason, your Committee would observe, that it is no part of the business of Government to take a ship out of the hands of those most interested in her safety ; and that merchants, shipowners, and insurers are much better judges of what they need than Government can be. So far as life is concerned, upon which considerable stress has been laid, it has been shown to your Committee that coasting passengers steamers, which probably carry more human lives than any other class of vessels, have been practically exempted from compulsory pilotage, both at Liverpool and on the Thames ; and that either for the interest of the owner, under the present law of liability, or for other reasons, these steamers have always been navigated by very competent persons, and have been peculiarly free from the accidents incident to difficult pilotage.

3. That it is necessary to place every ship in the hands of a pilot on entering a port, in order to prevent confusion and risk to other ships in the port.

This, however, is a matter not of pilotage, but of port regulation, and is generally so regarded. In the Thames, where a very large proportion of the ships which navigate the river are free from compulsory pilotage, every ship employs a competent pilot, licensed or unlicensed, and no difficulty is experienced.

4. That without the obligation arising out of a strict service, out of stringent regulations, and out of a corresponding obligation on the part of the ship to employ a pilot, the pilots will not feel themselves morally bound to give willing and efficient service.

Your Committee would scarcely have thought it necessary to notice this reason, if it had not been advanced by able witnesses from Liverpool. If evidence were needed to show that the general principles of human conduct are applicable to pilotage, and that in pilotage as in other matters of business, self interest and competition are more efficient stimulants than rules and discipline, such evidence is supplied in abundance by the cases in which pilotage is voluntary.

5. That the step taken by the Bill is one-sided and incomplete ; that it retains a fixed price ; a licensed corps ; limited numbers ; stringent regulations as to cruising, and obligations on the pilots to accept an offered service. And that

that in these respects it is unfair on the pilot; whilst it fails to give either party the benefit of complete freedom.

It will be seen from previous remarks that your Committee have been led to the conclusion that the present Bill may in many districts lead to further steps in the direction of freedom.

But for this the pilotage authorities have ample powers; and in the meantime there is nothing unreasonable in imposing on a body of men who, by obtaining licenses, will still have a monopoly of a necessary employment, such restrictions and regulations as may be found necessary.

But whatever further steps may be hereafter found necessary, your Committee are satisfied that the first essential step is the abolition of the obligation to employ a pilot. When the shipowner is at liberty to employ a pilot or not according as he finds him useful, he will have the means by which he can in time compel all other improvements which may be needed.

The present Bill will place matters in districts in which pilotage is non-compulsory in the same position in which matters are when pilotage is voluntary, and will leave it in the hands of the pilotage authorities to make such further changes (if any) as may be found necessary.

6. That if further improvements are to be left to the pilotage authorities, the abolition or retention of compulsory pilotage may also be left to them, especially when these authorities are elected and representative boards.

Your Committee are of opinion that the case does not admit of the delay which this objection would involve. Local authorities are not always disposed to recognise the altered conditions of trade; and in the present instance it is very doubtful whether they represent fully the growing steam trade; nor do the pilotage authorities of a port necessarily represent the ships which trade to a port. And there is no doubt a tendency in all governing bodies and their officers to become strongly attached to systems which they have administered.

Moreover, in the present case the proposed change in the law is one of such general application, and involving such important consequences, not only to the port itself but to the strangers who come to it, as to render it especially undesirable to leave it to the caprices of local legislation. With the law of liability, for instance, no authority short of the Imperial Parliament can properly deal. And, finally, in the opinion of your Committee, no case has been made out for special and exceptional legislation. When the difficulties of pilotage are great the demand for pilots, and the consequent supply of pilots, is great in proportion.

On the other hand, the objections to the practice of compelling ships to employ pilots are as follows:—

1. It is unjust, for it obliges many ships that do not require pilots, to pay for keeping up a staff for those who do.

2. The system tends to create and maintain a body of protected monopolists, whose interests are not identical with those of the shipowner, who know that they must be employed, and whose independent services are probably not so readily or so effectively given as if their employment depended on their efficiency.

3. A further and very serious objection is to be found in the consequence as regards liability, which has been so fully stated above.

The liability of the owner and his servants is put an end to, and the security against mismanagement arising from this liability is seriously diminished, whilst persons sustaining damage by collision are deprived of their remedy.

4. The captain and his officers, from their acquaintance with their ship and crew, are better able to handle her, even in pilotage waters, than a pilot to whom the vessel is strange. To compel the former to give up charge to the latter leads to disaster.

The two last objections are fully admitted by most of the advocates of compulsory pilotage. And some of them, whilst advocating the retention of compulsory pilotage, still propose that the pilot shall not be allowed to interfere with, but shall only advise, the captain; and that the shipowner shall be liable for the acts of the pilot.

It is obvious, however, that any attempt to carry this proposal into effect

would be met by very serious opposition from the great body of shipowners. The legal principles on which the present law is founded, viz., that a man is liable for the acts of those whom he voluntary employs, but not for the acts of those whom he is compelled to employ, appears to your Committee to be in itself just and reasonable. And if, for the sake of remedying a practical inconvenience, this principle is departed from, it is probable that further anomalies and inconveniences will be the result. Nor is it likely that the captain and the pilot will ever assume their proper relative positions so long as the former is compelled to employ the latter.

Your Committee are therefore of opinion that the immunity from liability must stand or fall with the legal obligation to employ a pilot.

Looking to the above considerations it appears to your Committee, on the one hand, that the reasons alleged in support of compulsory pilotage admit of satisfactory answers; and that on the other hand, the evils to which it gives rise are of the most serious character, and are such that it is impracticable to cure them without abolishing compulsory pilotage altogether. They have, therefore, come to the conclusion that the principle upon which the Bill is founded, is a right one, and that the Bill should, with the amendments which your Committee have made in it, be passed into a law at as early a date as possible. Your Committee are satisfied that if this is done, not only will the trade of the country suffer no injury, but that the step thus taken will lead to further improvements in the pilotage service of the different ports, and will in the end render that service more remunerative to efficient pilots as well as more satisfactory to their employers.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 15*th March* 1870.

MEMBERS PRESENT:

Sir John Hay.	Mr. Brassey.
Mr. John Stewart Hardy.	Mr. P. Wykeham Martin.
Mr. Cave.	Mr. Pemberton.
Mr. Graves.	Sir Henry Selwin-Ibbetson.
Mr. Childers.	Colonel Bourne.
Mr. Malcolm.	Mr. Turner.
Mr. Price.	Sir Charles Wingfield.
Mr. Lefevre.	Mr. Stevenson.

Mr. Shaw Lefevre was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 22*nd March* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Sir Charles Wingfield.
Mr. John Stewart.	Mr. Price.
Mr. Turner.	Mr. Gourley.
Colonel Bourne.	Mr. Grieve.
Mr. Cave.	Mr. Norwood.
Mr. Graves.	Mr. Malcolm.
Mr. Wykeham Martin.	Sir Henry Selwin-Ibbetson.
Mr. Brassey.	Mr. Stevenson.
Mr. Pemberton.	

Mr. *Thomas Henry Farrer* was examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 25*th March* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.
Mr. John Stewart Hardy.
Mr. Turner.
Colonel Bourne.
Mr. Pemberton.
Mr. Gourley.
Mr. Grieve.
Mr. Cave.
Sir Charles Wingfield.
Mr. Graves.
Mr. Stevenson.
Mr. Brassey.
Mr. Norwood.
Mr. Malcolm.
Mr. Wykeham Martin.
Mr. Price.
Sir Henry Selwin-Ibbetson.

Mr. *Thomas Henry Farrer* was further examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 1*st April* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.
Mr. John Stewart Hardy.
Mr. Turner.
Colonel Bourne.
Mr. Gourley.
Mr. Grieve.
Mr. Cave.
Sir Charles Wingfield.
Mr. Stevenson.
Mr. Brassey.
Sir Henry Selwin-Ibbetson.
Mr. Price.
Mr. Norwood.
Mr. Wykeham Martin.
Mr. Graves.
Mr. Malcolm.
Mr. Pemberton.

Mr. *T. H. Farrer* was further examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 5*th April* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.
Colonel Bourne.
Mr. Grieve.
Mr. Gourley.
Mr. Cave.
Sir Charles Wingfield.
Mr. Graves.
Mr. Wykeham Martin.
Mr. Stevenson.
Mr. Norwood.
Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.
Mr. Turner.
Mr. Malcolm.
Mr. Pemberton.

Mr. *William Brown Clegram* and Sir *Frederick Arrow* were severally examined.

Motion

Motion made, and Question put, "That the Committee do now adjourn"—(Sir *John Hay*).—The Committee divided.

Ayes, 8.	Noes, 7.
Sir John Hay.	Mr. Gourley.
Mr. John Stewart Hardy.	Sir C. Wingfield.
Mr. Turner.	Mr. Stevenson.
Colonel Bourne.	Mr. Grieve.
Mr. Pemberton.	Mr. Cave.
Mr. Graves.	Mr. Wykeham Martin.
Mr. Malcolm.	Mr. Norwood.
Sir H. Selwin-Ibbetson.	

[Adjourned till Friday next, at Twelve o'clock.

Friday, 8th April 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.	Mr. Wykeham Martin.
Mr. John Stewart Hardy.	Mr. Stevenson.
Colonel Bourne.	Mr. Brassey.
Mr. Grieve.	Mr. Price.
Mr. Gourley.	Mr. Malcolm.
Mr. Cave.	Mr. Norwood.
Sir Charles Wingfield.	Mr. Turner.
Mr. Graves.	Mr. Pemberton.
Sir Henry Selwin-Ibbetson.	

Sir *Frederick Arrow* was further examined.

[Adjourned till Tuesday, 26th April, at Twelve o'clock.

Tuesday, 26th April 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.	Sir Charles Wingfield.
Colonel Bourne.	Mr. Charles Turner.
Mr. Graves.	Mr. Stevenson.
Mr. Brassey.	Mr. Price.
Sir H. Selwin-Ibbetson.	Mr. Pemberton.
Mr. Wykeham Martin.	Mr. Gourley.
Mr. John Stewart Hardy.	Mr. Norwood.
Mr. Grieve.	

Captain *Judkins* and Mr. *Andrew Tucker Squarey* were severally examined.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 27th April 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Brassey.	Mr. Grieve.
Mr. Graves.	Mr. Charles Turner.
Sir Charles Wingfield.	Mr. Stevenson.
Mr. Wykeham Martin.	Mr. Cave.
Mr. Gourley.	Mr. John Stewart Hardy.

Mr. *Andrew Tucker Squarey* was further examined.

Captain *Graham Hewitt Hills*, R.N., was examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 29th April 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. John Stewart Hardy.	Mr. Stevenson.
Mr. Charles Turner.	Mr. Price.
Colonel Bourne.	Sir Henry Selwin-Ibbetson.
Mr. Grieve.	Mr. Malcolm.
Mr. Gourley.	Sir John Hay.
Sir Charles Wingfield.	Mr. Norwood.
Mr. Graves.	Mr. Cave.
Mr. Wykeham Martin.	

Captain *Ballantine*, Mr. *John Towne Danson*, and Mr. *Thomas Richard Shallcross* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 3rd May 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Charles Turner.	Sir H. Selwin-Ibbetson.
Mr. Malcolm.	Mr. Gourley.
Mr. Stevenson.	Mr. Pemberton.
Mr. Graves.	Mr. Wykeham Martin.
Sir Charles Wingfield.	Sir John Hay.
Mr. Brassey.	Mr. Norwood.
Mr. Grieve.	Mr. John Stewart Hardy.
Colonel Bourne.	Mr. Cave.

Mr. *J. Lamport*, Mr. *M. Moss*, and Mr. *R. Galloway* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 6th May 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Mr. Gourley.
Mr. C. Turner.	Colonel Bourne.
Mr. Graves.	Mr. Brassey.
Mr. Philip Wykeham Martin.	Mr. Pemberton.
Mr. Norwood.	Sir H. Selwin-Ibbetson.
Sir C. Wingfield.	Mr. Stevenson.
Mr. Malcolm.	Mr. J. Stewart Hardy.
Mr. Grieve.	Mr. Cave.

Mr. *Robert P. J. Simpson,* R.N., examined.

The Committee deliberated.

Admiral *George Evans* and Mr. *Henry Bremner* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 10th May 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Mr. Graves.	Mr. Gourley.
Mr. Norwood.	Mr. Grieve.
Mr. Stevenson.	Mr. Philip Wykeham Martin.
Mr. Brassey.	Mr. Charles Turner.
Mr. Malcolm.	Mr. Cave.
Mr. Price.	Mr. J. Stewart Hardy.
Sir C. Wingfield.	Sir John Hay.

Mr. *Angus Turner,* Mr. *Thomas Henderson,* Mr. *James Allan,* Mr. *John M'Kelvey,* and Mr. *Alexander Alexander* were severally examined.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 11th May 1870.

MEMBERS PRESENT:

Mr. Cave in the Chair.

Afterwards Mr. Shaw Lefevre in the Chair.

Sir C. Wingfield.	Mr. Pemberton.
Mr. Philip Wykeham Martin.	Mr. Price.
Mr. Norwood.	Mr. Malcolm.
Mr. Grieve.	Mr. Graves.
Mr. Charles Turner.	Mr. J. Stewart Hardy.

Mr. *Anthony Bannister,* Mr. *Dale Brown,* Mr. *William Henry Brewis,* Mr. *John Lumsden,* and Mr. *John Harvey* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 13*th May* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Cave.	Sir H. Selwin-Ibbetson.
Sir C. Wingfield.	Mr. Philip Wykeham Martin.
Mr. Gourley.	Mr. Price.
Mr. Grieve.	Mr. Graves.
Mr. J. S. Hardy.	Mr. C. Turner.
Mr. Norwood.	Mr. Brassey.
Mr. Malcolm.	Sir John Hay.

Mr. *Anthony Bannister* further examined.

Captain *John Drew*, Captain *John Rosser*, and Mr. *Thomas Ford* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 17*th May* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. P. Wykeham Martin.	Sir H. Selwin-Ibbetson.
Mr. Graves.	Mr. Pemberton.
Sir C. Wingfield.	Colonel Bourne.
Mr. Cave.	Mr. Gourley.
Mr. C. Turner.	Mr. J. Stewart Hardy.
Mr. Grieve.	Mr. Norwood.
Mr. Brassey.	

Mr. *John B. Miller*, Mr. *John Capon Mallett*, Mr. *Frederick Augustus Castle*, Mr. *Henry Tillman*, and Mr. *Thomas Ralph* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 20*th May* 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Mr. Graves.	Mr. Stevenson.
Mr. Brassey.	Mr. Norwood.
Mr. Price.	Mr. P. Wykeham Martin.
Sir H. Selwin-Ibbetson.	Colonel Bourne.
Mr. Malcolm.	Sir C. Wingfield.
Mr. Grieve.	Mr. Cave.
Mr. Pemberton.	Sir John Hay.

Mr. *John Taylor*, Mr. *Alfred Tozer*, Mr. *William Barfield*, Mr. *William Daines*, Mr. *Richard Triphook*, Mr. *James Doyle*, and Mr. *William Webb* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 24*th May* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir C. Wingfield.	Sir H. Selwin-Ibbetson.
Mr. Cave.	Mr. Stevenson.
Mr. Gourley.	Mr. Price.
Mr. Grieve.	Mr. Charles Turner.
Colonel Bourne.	Mr. J. Stewart Hardy.
Mr. Graves.	Sir John Hay.
Mr. Brassey.	

Mr. *Frederick Patteson*, Mr. *William Spelding*, Mr. *George Thomas Hinton*, Mr. *George Duncan*, Mr. *Robert Macfaren*, and Mr. *James Cochrane* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 27*th May* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Mr. Stevenson.
Mr. Gourley.	Mr. Price.
Mr. Graves.	Mr. Hardy.
Sir Henry Selwin-Ibbetson.	Mr. Turner.
Mr. Grieve.	Mr. Norwood.
Mr. Cave.	

Mr. *Patrick Benson*, Mr. *Frederick Leyland*, Mr. *William Inman*, Mr. *John Marwood*, and Mr. *Henry Jones* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 31*st May* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Mr. Stevenson.
Colonel Bourne.	Mr. Gourley.
Mr. Grieve.	Mr. T. Brassey.
Sir Henry Selwin-Ibbetson.	Mr. Wykeham Martin.
Mr. Graves.	Mr. Pemberton.

Mr. *William Watson*, Mr. *John Thompson Bouch*, and Captain *Thomas Reynolds* were severally examined.

[Adjourned till Tuesday, 14th June, at Twelve o'clock.

Tuesday, 14*th June* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Mr. Price.
Mr. John Stewart Hardy.	Sir Henry Selwin-Ibbetson.
Colonel Bourne.	Mr. Wykeham Martin.
Mr. Grieve.	Mr. Charles Turner.
Sir Charles Wingfield.	Mr. Cave.
Mr. Graves.	Mr. Norwood.
Mr. Stevenson.	

Mr. *Alfred Holt*, Mr. *Henry Owens Johnson*, Mr. *Robert Chaddock*, Mr. *Francis James Beckett*, Sir *Frederick Arrow*, Mr. *Robert Lee*, Mr. *William Adams*, and Mr. *Matthew Lamert Irvin* were severally examined.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 15*th June* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Mr. John Stewart Hardy.	Mr. Wykeham Martin.
Mr. Gourley.	Mr. Cave.
Sir Charles Wingfield.	Mr. Charles Turner.
Mr. Stevenson.	Mr. Price.
Mr. Malcolm.	Sir John Hay.
Mr. Graves.	Mr. Brassey.

Mr. *Howard Fox*, Mr. *Henri Josse*, Mr. *Thomas Oates*, Captain *James Johnson*, Mr. *George Henry Evans*, Mr. *William Wood*, Mr. *Charles Joseph Luton*, Mr. *Anthony G. Robinson*, Mr. *Thomas Davies*, and Mr. *Richard Williams* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 21*st June* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir John Hay.	Mr. Graves.
Mr. J. Stewart Hardy.	Mr. Wykeham Martin.
Mr. Pemberton.	Mr. Stevenson.
Mr. Turner.	Mr. Thomas Brassey.
Colonel Bourne.	Mr. Price.
Mr. Gourley.	Sir Henry Selwin-Ibbetson.
Mr. Grieve.	Mr. Malcolm.
Sir Charles Wingfield.	Mr. Norwood.
Mr. Childers.	

A Paper

A Paper handed in by Mr. *Graves*, was read, and ordered to be placed in the Appendix.

The Preamble of the Bill was *postponed*.

Clause 1.—Amendment proposed in line 10, after the word "pilot" to insert the words "except in those districts and ports in which the pilotage authority now existing, or hereafter to be constituted in accordance with the Act, shall deem it desirable to continue the present law"—(Sir *John Hay*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 8.	Noes, 8.
Sir John Hay.	Mr. Gourley.
Mr. J. Stewart Hardy.	Mr. Grieve.
Mr. Pemberton.	Sir C. Wingfield.
Mr. Turner.	Mr. Childers.
Colonel Bourne.	Mr. Wykeham Martin.
Mr. Graves.	Mr. Stevenson.
Sir H. Selwin-Ibbetson.	Mr. Brassey.
Mr. Malcolm.	Mr. Price.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed in line 10, after the word "pilot" to insert the words "Provided that in every port in which a pilotage authority now exists, or may hereafter be created, which represents by election the trade and commerce of the port, it shall be left to such pilotage authority to decide whether any compulsory system which may be in force at such port shall be retained or abolished; but not no such power shall be vested in any pilotage authority, the constitution of which shall not have been approved by the Board of Trade. Provided also, that any such pilotage authority as above mentioned shall have full power from time to time to increase, alter, modify, and re-adjust the pilotage charges within their district as they may think proper. Provided also, that in every port in which such a pilotage authority as above mentioned does not now exist, or shall not be created within 12 months from the passing of this Act, the power determining whether a compulsory system of pilotage shall be continued or abolished, shall be exercised by the Trinity House of Deptford Strond. Provided also, that in every case in which a system of compulsory pilotage shall be abolished, pursuant to this clause, due regard shall be had to the interests of pilots, boat-owners, and other pilotage officers affected thereby"—(Mr. *Graves*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 8.	Noes, 8.
Sir John Hay.	Mr. Gourley.
Mr. J. Stewart Hardy.	Mr. Grieve.
Mr. Pemberton.	Sir C. Wingfield.
Mr. Turner.	Mr. Childers.
Colonel Bourne.	Mr. Wykeham Martin.
Mr. Graves.	Mr. Stevenson.
Sir H. Selwin-Ibbetson.	Mr. Brassey.
Mr. Malcolm.	Mr. Price.

Whereupon the Chairman declared himself with the Noes.

Question put, That the Clause stand part of the Bill.—The Committee divided:

Ayes, 10.	Noes, 7.
Mr. Gourley.	Sir John Hay.
Mr. Grieve.	Mr. Hardy.
Sir C. Wingfield.	Mr. Pemberton.
Mr. Childers.	Mr. Turner.
Mr. Wykeham Martin.	Colonel Bourne.
Mr. Norwood.	Mr. Graves.
Mr. Stevenson.	Mr. Malcolm.
Mr. Brassey.	
Mr. Price.	
Sir H. Selwin-Ibbetson.	

Clause 2.—Amendment proposed in line 1, to leave out the words, "If in consequence of the operation of this Act," in order to insert the words, "Whereas in consequence of the operation of this Act, the earnings of the present licensed pilots may be damaged by the passing of this Act, by the abolition of the exclusive rights and privileges which they have hitherto enjoyed as such pilots: Be it enacted that the Commissioners of Her Majesty's Treasury, by examination on oath or otherwise, which oath they are hereby authorised to administer, may inquire into, and may, by the production of such evidence or otherwise, as they shall think fit, require, ascertain, and absolutely determine the net annual amount of the earnings of each pilot on an average of five years immediately preceding the commencement of this Act, or of such proportion of five years as shall have elapsed since each pilot was licensed, and shall award to each such pilot a sum of money or annual payment during the

the term of his natural life of such amount as shall be equal to one-third of the net annual earnings of such pilot, upon the said average of five years, or of such proportion of the five years as aforesaid"—(Mr. *Pemberton*)—instead thereof.

Question put, That the words "If in consequence of the operation of this Act" stand part of the Clause.—The Committee divided:

Ayes, 10.	Noes, 5.
Mr. Hardy.	Mr. Pemberton.
Mr. Gourley.	Mr. Turner.
Mr. Grieve.	Colonel Bourne.
Sir C. Wingfield.	Mr. Graves.
Mr. Wykeham Martin.	Mr. Brassey.
Mr. Norwood.	
Mr. Stevenson.	
Mr. Price.	
Sir H. Selwin-Ibbetson.	
Mr. Malcolm.	

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 28th June 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir C. Wingfield.	Colonel Bourne.
Sir John Hay.	Mr. Price.
Mr. J. Stewart Hardy.	Mr. Gourley.
Mr. Charles Turner.	Mr. Brassey.
Mr. Grieve.	Mr. Stevenson.
Mr. Malcolm.	Mr. Norwood.
Mr. Graves.	Mr. Wykeham Martin.
Mr. Pemberton.	Mr. Cave.

Clause 2 further considered.—Amendment proposed in line 21, after the word "has," leave out the words "been caused by the operation of the Act," in order to insert the words "not been caused by the falling off of the trade of the port, or any matter within the control of the pilots"—(Sir *J. Hay*)—instead thereof.—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 11.	Noes, 5.
Mr. Hardy.	Sir J. Hay.
Mr. Grieve.	Mr. Pemberton.
Sir C. Wingfield.	Mr. Turner.
Mr. Price.	Colonel Bourne.
Mr. Gourley.	Mr. Graves.
Mr. Brassey.	
Mr. Stevenson.	
Mr. Wykeham Martin.	
Mr. Norwood.	
Mr. Malcolm.	
Mr. Cave.	

Amendment proposed in line 23, after the word "trade" to leave out the word "may," in order to insert the word "shall"—(Mr. *Graves*)—instead thereof.—Question put, That the word "may" stand part of the Clause.—The Committee divided:

Ayes, 8.	Noes, 7.
Mr. Grieve.	Sir J. Hay.
Sir. C. Wingfield.	Mr. Hardy.
Mr. Price.	Mr. Turner.
Mr. Gourley.	Colonel Bourne.
Mr. Brassey.	Mr. Graves.
Mr. Stevenson.	Mr. Malcolm.
Mr. Wykeham Martin.	Mr. Cave.
Mr. Norwood.	

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 30th June 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Mr. Turner.	Mr. Brassey.
Mr. Graves.	Mr. Price.
Mr. Grieve.	Mr. Pemberton.
Mr. Stevenson.	Mr. Wykeham Martin.
Mr. Malcolm.	Mr. Gourley.
Sir C. Wingfield.	Colonel Bourne.
Mr. Norwood.	

Clause 2, further considered.—Amendment proposed in line 26, to leave out from the word "Act" to the end of sub-section 3, in order to insert the words "report to the Commissioners of Her Majesty's Treasury concerning such application, or the Commissioners may, upon receiving such report, make a grant to the pilotage authority, either by way of annual payment or otherwise, out of monies to be provided by Parliament for that purpose, of a sum of money to be applied by such authority, either towards compensation of the pilots in respect of the loss of employment which they may suffer by the operation of this Act, or towards the superannuation of a certain number of such pilots"—(*The Chairman*)—instead thereof.—Question, That the words proposed to be left out stand part of the clause, put and *negatived.*

Question proposed, that the proposed words be there inserted.—Amendment proposed to the said proposed amendment, to insert after the words "compensation of the," the words "Commodore or Superintendent"—(Mr. *Norwood*).—Question put, That those words be inserted in the proposed Amendment.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Sir C. Wingfield.
Mr. Graves.	Mr. Price.
Mr. Brassey.	Mr. Gourley.
Mr. Norwood.	Mr. Stevenson.
Mr. Malcolm.	Mr. Wykeham Martin.

Whereupon the Chairman declared himself with the Noes.

Another amendment proposed to the proposed amendment to leave out the word "employment," in order to insert the word "income"—(Mr. *Norwood*)—instead thereof.—Question, That the word "employment" stand part of the said proposed amendment, put, and *negatived.*—Word "income" inserted.—Question put, That the proposed amendment as amended be inserted in the clause.—The Committee divided:

Ayes, 9.	Noes, 4.
Mr. Grieve.	Mr. Pemberton.
Sir. C. Wingfield.	Mr. Turner.
Mr. Price.	Colonel Bourne.
Mr. Gourley.	Mr. Graves.
Mr. Brassey.	
Mr. Stevenson.	
Mr. Wykeham Martin.	
Mr. Norwood.	
Mr. Malcolm.	

Another amendment proposed, after the last amendment to insert the words—"Always provided the Board of Trade may, on fresh proof of diminished income, authorise the pilotage authority to reduce the number of pilots licensed by such authority, and such reduction shall be effected by withdrawing from the list of acting pilots, as in the opinion of the pilotage authority, with the consent of the Board of Trade, it may be needful to withdraw, so that every licensed pilot who continues to act as a pilot in the district may receive the annual amount of income previously received by such pilot, to be computed upon an average of three years immediately preceding the passing of this Act; and the pilotage authority shall annually pay to each of such pilots as it may have been found needful to withdraw as aforesaid, out of the moneys to be provided as hereinafter mentioned, for and during the term of his natural life, an amount of not more than two-thirds of the emoluments previously received by such pilot, to be computed upon the average of

three years as aforesaid, or of such shorter period as such pilots may have been licensed"—(Mr. *Graves*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 8.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Sir C. Wingfield.
Colonel Bourne.	Mr. Price.
Mr. Graves.	Mr. Gourley.
Mr. Malcolm.	Mr. Brassey.
	Mr. Stevenson.
	Mr. Wykeham Martin.
	Mr. Norwood.

Another amendment proposed, after the last amendment to insert the words "such superannuation not being less than one-third of their average earnings during the three preceding years"—(Mr. *Pemberton*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 7.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Sir C. Wingfield.
Colonel Bourne.	Mr. Price.
Mr. Graves.	Mr. Gourley.
Mr. Brassey.	Mr. Stevenson.
	Mr. Wykeham Martin.
	Mr. Malcolm.

Another amendment proposed, after the last amendment, to insert the words "officers employed under a pilotage authority, shall in every case in which they can give proof of a loss of income caused by the operation of this Act, be entitled to compensation"—(Mr. *Graves*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 6.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Sir C. Wingfield.
Colonel Bourne.	Mr. Price.
Mr. Graves.	Mr. Gourley.
Mr. Malcolm.	Mr Stevenson.
	Mr. Wykeham Martin.

Sub-sections 4 and 5, *disagreed to*.

Sub-section 6, Amendments made.

Amendment proposed, at the end of the clause to add the words "it shall be lawful for the Board of Trade to exercise the powers given to it by the 3rd sub-section of this clause, notwithstanding that any pilotage authority shall neglect or refuse to make such application as is set forth in the 1st sub-section of the clause"—(Mr. *Graves*).—Question put, That those words be there added.—The Committee divided:

Ayes, 10.	Noes, 3.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Mr. Price.
Colonel Bourne.	Mr. Wykeham Martin.
Sir C. Wingfield.	
Mr. Graves.	
Mr. Gourley.	
Mr. Brassey.	
Mr. Stevenson.	
Mr. Norwood.	
Mr. Malcolm.	

Another amendment proposed after the last amendment, to add the words "And whereas certain pilots and others in different pilotage districts, upon the faith that the compulsory system of pilotage would be maintained, have invested large capital in the purchase, building, and maintenance of the pilot boats or cutters used or employed in the pilotage service of such district; and it is just and reasonable that full compensation should be made to such pilots and others for the change which will be effected by the passing of this Act: Be it therefore enacted, that immediately after the passing of this Act it shall be lawful for the Board of Trade, and they are hereby required, to ascertain to their satisfaction in such manner as they may deem most expedient, the exact price or sum which each pilot or other person has paid for the share or shares which he may hold in any pilot boat or cutter in any district at the time of the passing of this Act: That the Board of Trade, upon being so satisfied, shall make a report to the Commissioners of Her Majesty's Treasury, who shall forthwith pay to each of such pilots or other person, out of moneys to be provided by Parliament for the purpose, such sum or sums as he may have paid for the share or shares held

held by him in such pilot boat or cutter, and upon payment of such sum or sums, such pilot and other person shall transfer to the Commissioners of Her Majesty's Treasury, or to such person or persons as they may appoint, his share or shares in the said pilot boats or cutters, to be disposed of, dealt with, used, or employed as the Board of Trade may thereafter direct" —(Mr. *Graves*).—Question proposed, That those words be there added—whereupon amendment proposed to the proposed amendment, to leave out from the word "that," in line 7, to the end of the proposed amendment, in order to add the words "in the event of its appearing desirable by the pilotage authority of a district, in consequence of the operation of this Act, to reduce the number of boats or cutters employed before the passing of this Act, the Commissioners of Her Majesty's Treasury, on the application of the Board of Trade, may pay to the owners of such boat or boats a sum of money towards compensation for such loss of employment"—(Mr. *Norwood*)—instead thereof.—Question put, That the words proposed to be left out stand part of the said proposed amendment.—The Committee divided:

Ayes, 5.	Noes, 8.
Mr. Pemberton.	Mr. Grieve.
Mr. Turner.	Sir C. Wingfield.
Colonel Bourne.	Mr. Price.
Mr. Graves.	Mr. Gourley.
Mr. Malcolm.	Mr. Brassey.
	Mr. Stevenson.
	Mr. Wykeham Martin.
	Mr. Norwood.

Question put, That the proposed words be added instead thereof.—The Committee divided:

Ayes, 7.	Noes, 6.
Mr. Pemberton.	Mr. Turner.
Sir C. Wingfield.	Colonel Bourne.
Mr. Brassey.	Mr. Grieve.
Mr. Stevenson.	Mr. Graves.
Mr. Wykeham Martin.	Mr. Price.
Mr. Norwood.	Mr. Gourley.
Mr. Malcolm.	

Question put, That the proposed amendment, as amended, be added to the Clause.—The Committee divided:

Ayes, 8.	Noes, 5.
Mr. Pemberton.	Mr. Turner.
Colonel Bourne.	Mr. Grieve.
Sir C. Wingfield.	Mr. Graves.
Mr. Brassey.	Mr. Price.
Mr. Stevenson.	Mr. Gourley.
Mr. Wykeham Martin.	
Mr. Norwood.	
Mr. Malcolm.	

Clause as amended, *agreed to.*

Clause 3, *disagreed to.*

Clause 4, amended, and *agreed to.*

Clause 5.—Amendment proposed, in line 2, to leave out the word "seventy"—(Mr. *Turner*).—Question put, That the word "seventy," stand part of the Clause.—The Committee divided:

Ayes, 8.	Noes, 5.
Mr. Grieve.	Mr. Pemberton.
Sir C. Wingfield.	Mr. Turner.
Mr. Price.	Colonel Bourne.
Mr. Gourley.	Mr. Graves.
Mr. Brassey.	Mr. Malcolm.
Mr. Stevenson.	
Mr. Wykeham Martin.	
Mr. Norwood.	

Clause *agreed to.*

Clause 6, amended, and *agreed to.*

Clause 7, *agreed to.*

New Clause (Pilotage Rates may be increased) added.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 4th July 1870.

MEMBERS PRESENT:

Mr. SHAW LEFEVRE in the Chair.

Sir John Hay.	Mr. Cave.
Mr. Hardy.	Mr. Brassey.
Sir C. Wingfield.	Mr. Turner.
Mr. Malcolm.	Colonel Bourne.
Mr. Stevenson.	Mr. Price.
Mr. Grieve.	Mr. Pemberton.
Mr. Graves.	Mr. Wykeham Martin.
Mr. Gourley.	Mr. Norwood.

New Clause (Any person after examination may be licensed to act as pilot between London and Gravesend)—(Sir *C. Wingfield*)—brought up, and read 1st time.—Question put, That the Clause be read a 2nd time.—The Committee divided:

Ayes, 9.	Noes, 6.
Sir J. Hay.	Mr. Cave.
Mr. Hardy.	Mr. Grieve.
Mr. Turner.	Mr. Srevenson.
Colonel Bourne.	Mr. Brassey.
Mr. Gourley.	Mr. Price.
Sir C. Wingfield.	Mr. Wykeham Martin.
Mr. Graves.	
Mr. Pemberton.	
Mr. Malcolm.	

Amendments made.

Question put, That the clause as amended stand part of the Bill.—The Committee divided:

Ayes, 9.	Noes, 6.
Sir J. Hay.	Mr. Cave.
Mr. Hardy.	Mr. Grieve.
Mr. Turner.	Mr. Stephenson.
Colonel Bourne.	Mr. Brassey.
Mr. Gourley.	Mr. Price.
Sir C. Wingfield.	Mr. Wykeham Martin.
Mr. Graves.	
Mr. Pemberton.	
Mr. Malcolm.	

New Clause (As to navigation of the Rivers Clyde and Avon)—(Mr. *Cave*)—brought up, and read 1st time.—Question put, "That the Clause be read a 2nd time."—The Committee divided:

Ayes, 11.	Noes, 3.
Sir J. Hay.	Mr. Grieve.
Mr. Hardy.	Mr. Gourley.
Mr. Turner.	Mr. Stevenson.
Colonel Bourne.	
Mr. Cave.	
Sir C. Wingfield.	
Mr. Brassey.	
Mr. Price.	
Mr. Wykeham Martin.	
Mr. Malcolm.	
Mr. Norwood.	

Amendment proposed to be made to the Clause, by leaving out the words "Trustees of the Clyde Navigation," and inserting the words "Clyde Pilot Board"—(Mr. *Grieve*)—instead thereof.

Question

Question put, That the words "Trustees of the Clyde Navigation," stand part of the Clause.—The Committee divided:

Ayes, 10.	Noes, 4.
Sir John Hay.	Mr. Cave.
Mr. Hardy.	Mr. Grieve.
Mr. Turner.	Mr. Stevenson.
Colonel Bourne.	Mr. Brassey.
Sir C. Wingfield.	
Mr. Graves.	
Mr. Pemberton.	
Mr. Wykeham Martin.	
Mr. Malcolm.	
Mr. Norwood.	

Clause added.

New Clause brought up, "Nothing in this Act shall extend to the Port of Liverpool" —(Mr. *Graves*),—and read 1st time.

Question put, That the Clause be read a 2nd time.—The Committee divided:

Ayes, 7.	Noes, 9.
Sir J. Hay.	Mr. Cave.
Mr. Hardy.	Mr. Grieve.
Mr. Turner.	Mr. Gourley.
Colonel Bourne.	Sir C. Wingfield.
Mr. Graves.	Mr. Stevenson.
Mr. Pemberton.	Mr. Brassey.
Mr. Norwood.	Mr. Price.
	Mr. Wykeham Martin.
	Mr. Norwood.

New Clause brought up, and read 1st time as follows:—"The master of any pilot boat whose income may be diminished by the passing of this Act shall be entitled to the same compensation, and to be calculated on the same principle, as pilots will be entitled to after the passing of this Act"—(Mr. *Pemberton*).—Question put, That the Clause be read a 2nd time.—The Committee divided:

Ayes, 10.	Noes, 6.
Sir J. Hay.	Mr. Grieve.
Mr. Hardy.	Mr. Gourley.
Mr. Turner.	Sir C. Wingfield.
Colonel Bourne.	Mr. Stevenson.
Mr. Cave.	Mr. Price.
Mr. Graves.	Mr. Wykeham Martin.
Mr. Brassey.	
Mr. Pemberton.	
Mr. Malcolm.	
Mr. Norwood.	

Amendment proposed to be made to the Clause by inserting, after pilot boat, the words "withdrawn by the pilotage authority with the consent of the Board of Trade"—(Mr. *Stevenson.*)—Question put, that those words be there inserted.—The Committee divided:

Ayes, 8.	Noes, 8.
Mr. Cave.	Sir J. Hay.
Mr. Grieve.	Mr. Hardy.
Mr. Gourley.	Mr. Turner.
Sir C. Wingfield.	Colonel Bourne.
Mr. Stevenson.	Mr. Graves.
Mr. Price.	Mr. Brassey.
Mr. Wykeham Martin.	Mr. Pemberton.
Mr. Norwood.	Mr. Malcolm.

Whereupon the Chairman declared himself with the Ayes.

Question put, That the Clause as amended be added to the Bill.—The Committee divided:

Ayes, 11.	Noes, 5.
Sir J. Hay.	Mr. Gourley.
Mr. Hardy.	Mr. Wingfield.
Mr. Turner.	Mr. Stevenson.
Colonel Bourne.	M. Price.
Mr. Cave.	Mr. Wykeham Martin.
Mr. Grieve.	
Mr. Graves.	
Mr. Brassey.	
Mr. Pemberton.	
Mr. Malcolm.	
Mr. Norwood.	

Preamble *agreed to.*

Motion made, and question proposed, "That the Chairman be directed to move the House for leave to make a Special Report"—(The *Chairman*).—Amendment, to leave out from the word "that" to the end of the question, in order to add the words, "Inasmuch as it appears that opinions are very much divided on many points of great importance, and as an amendment involving the principle of the universal abolition of compulsory pilotage was lost only by the casting vote of the Chairman (two members being absent), it is desirable, especially at this late period of the Session, and in view of the withdrawal of the Merchant Shipping Code, to present the Bill as altered for further discussion in the House, rather than to occupy further the time of this Committee in the consideration of Special Reports."—Question put, "That the words proposed to be left out stand part of the question."—The Committee divided:

Ayes, 7.	Noes, 7.
Mr. Grieve.	Sir J. Hay.
Mr. Gourley.	Mr. Hardy.
Sir C. Wingfield.	Mr. Turner.
Mr. Stevenson.	Colonel Bourne.
Mr. Price.	Mr. Graves.
Mr. Wykeham Martin.	Mr. Pemberton.
Mr. Norwood.	Mr. Malcolm.

Whereupon the Chairman declared himself with the Ayes.

Main question put.—The Committee divided:

Ayes, 7.	Noes, 7.
Mr. Grieve.	Sir J. Hay.
Mr. Gourley.	Mr. Hardy.
Sir C. Wingfield.	Mr. Turner.
Mr. Stevenson.	Colonel Bourne.
Mr. Price.	Mr. Graves.
Mr. Wykeham Martin.	Mr. Pemberton.
Mr. Norwood.	Mr. Malcolm.

Whereupon the Chairman declared himself with the Ayes.

Special Report proposed by the Chairman brought up, and read a first time, as follows:—

"Your Committee have taken evidence as to the present state of the law from the Permanent Secretary to the Board of Trade, and from the Deputy Master of the Trinity House. They have also taken evidence from the different ports at which compulsory pilotage exists, against the Bill; and, finally, they have taken evidence from the same ports, and from ports where pilotage is wholly voluntary, in favour of the Bill.

"By compulsory pilotage is meant a system which first of all fixes by authority the number of pilots which the trade of any given port is supposed to need; and then, partly in order to secure them employment and remuneration, partly in order to provide for the safety of ships, proceeds to require that all ships, or certain classes of ships, frequenting the port, shall employ them. It is difficult, without going into great detail, to give a complete and accurate account of the extent to which this system has prevailed, or still prevails, since not only does it exist in some ports and not in others, but where it does exist the exemptions vary in many different ways. In fact, the existence or non-existence of the obligation and the nature and extent of the exemptions from it differ in such an arbitrary and capricious manner as to show that they must have arisen from local and special legislation, without reference to general principles of any kind. Generally speaking, however, compulsory pilotage

pilotage exists in its most complete form at Liverpool, Dublin, on the Upper Clyde, at Bristol, and at some other smaller ports. In the London Trinity House districts, including the Thames, and most of the outports on the south coast, in Hull, and in some other ports, the system has been very largely modified by exemptions of different kinds; whilst in all the ports on the east coast (north of Hull), at Cork, Cardiff, Newport, and Gloucester, as well as at many other smaller ports, there is no compulsory pilotage whatever. A Return of the compulsory and non-compulsory districts has been laid before your Committee, by which it appears that the number of licensed pilots employed in districts where there is some kind of compulsion is 1,828; whilst in those where there is no compulsion whatever the number is 1,066. Appendix A., No. 20.

"When steamers first began to take a large part in the short trades, and from that time till after the repeal of the navigation laws, loud complaints were made against compulsory pilotage, especially on the part of coasting steamers. In 1848 an Act, 12 & 13 Vict. c. 88, was passed, enabling pilotage authorities at their own discretion to examine masters and mates, and, if they should be found competent, to give them certificates authorising them to pilot their own ships. This Act being permissive only, was acted on by the Trinity House and some other bodies, but to no great extent, and the complaints against compulsory pilotage still continued. In 1853 another Act, 16 & 17 Vict. c. 129, was passed, by which the Board of Trade was enabled, in case of refusal by any pilotage authority to examine masters or mates for pilotage certificates, to examine them itself, and to grant certificates exempting them from compulsory pilotage. These enactments were re-enacted in 1854, in clauses 340 to 344 of the Consolidated Merchant Shipping Act of that year, and still remain law. They are limited, however, in their operations by provisions that the certificates granted under them shall only apply to ships owned by the same owner, and that the names of the ships shall appear on the certificate; and every master or mate has to pay to the pilotage fund of the ports for which he is licensed the same fees upon the grant or renewal of his license which a regular pilot has to pay. Under these clauses a good many masters and mates have been examined. In a Return of this Session (No. 88, Parliamentary Paper, 1870), the number of masters and mates examined under this Act at the different ports and receiving certificates in the years 1868, 1869, are given. From these numbers it seems that the practice at the different ports differs largely. Thus the numbers of the largest ports for 1869 are as follows:— Farrer, 12 *et seq.*

Trinity House of London (including London and outports)	240
Liverpool	10
Glasgow	133
Hull	283
Bristol	30
Dublin	44

"In most cases the pilotage authorities, acting with the knowledge of the power possessed by the Board of Trade, have themselves conducted the examination.* In a few cases the Board of Trade have had to examine.

"At Liverpool the pilotage authority for long refused to examine at all; and only gave way upon the resolute expression of intention on the part of the Board of Trade to examine themselves. But very few examinations of masters have, as will be seen from the above figures, been held at Liverpool.

"There can be no doubt, however, that the effect of these clauses has been restricted by the conditions above referred to, and still more by the operation of the law of liability referred to below.

"A further alteration of the law, having an opposite tendency, though not adopted with any retrograde intention, was made in the same year, 1854. In 1851 a compulsory examination of masters and mates in the foreign-going trade was first introduced. In 1853–4 the question arose, whether to extend this examination to the home (or short foreign and coasting) trade. It was determined to do so with respect to passenger vessels only. The question then arose, to what the examination should extend. Seamanship was of course to be required, but as regards navigation, the thing needed was rather local than general knowledge. To meet this, it was determined to make all home trade passenger ships subject to compulsory pilotage in all ports where there are licensed pilots, unless the master or mate should obtain certificates enabling them to pilot their own vessels either under the clauses above referred to, or under a special provision inserted for the purpose of enabling the Board of Trade more easily to grant certificates when the local authorities should make difficulties. (*See* Clauses 354, 355 of the Merchant Shipping Act.) A new species of compulsory pilotage was thus introduced, with a new form of exemption. It seems not to have been the intention that pilots should be employed in these cases, but simply that officers should be compelled to qualify themselves.

"The Act of 1854 further provided, with respect to compulsory pilotage, that pilotage should continue compulsory where it was then compulsory (section 353); and that all existing

* Parliamentary Paper, 455, 1862, Nos. 102, 103, 104; Parliamentary Paper, 532, 1864, Nos. 50 to 59; in these Papers the question of compulsory pilotage is discussed at some length between the pilotage authority at Liverpool and the Board of Trade.

† At Arundel, Waterford, and Boston. *See* Parliamentary Paper, 455, 1862, Nos. 138 to 166.

existing exemptions should continue in force (section 353); and that every pilotage authority should have power, with the consent of Her Majesty in Council, to exempt any ships, or classes of ships, from compulsory pilotage (section 332). These clauses, coupled with those relating to the Trinity House pilotage, are full of apparent inconsistencies, and have led to much doubt and litigation. The tendency of the courts has been on the whole to favour the exemptions.* And some bye-laws have been passed removing some of the inconsistencies by extending the exemptions. †

Farrer, 30 *et seq.*

"Compulsory pilotage is enforced by virtue of section 353. If a ship which is not exempted fails to employ a pilot who offers, the master is liable to a penalty of double the pilotage, which is recoverable, not by civil process, but under the rules of law applicable to criminal proceedings. This has been the cause of great complaints and gross hardship. A pilot alleges that a ship has refused his services at Gravesend. The ship has gone (say) to Shields. He gets a warrant from the magistrates there, and sends it down to Shields with a policeman to arrest the captain. The captain, to avoid being carried up to Gravesend as a prisoner, is forced to pay whatever is asked.‡

"The only alteration in the law since made is by the Act 25 & 26 Vict. c. 63, s. 41 (1862), which was intended to exempt ships from compulsory pilotage when merely calling for orders or otherwise passing through a pilotage district without loading or discharging. It is however so worded that in the opinion of the law officers it does not exempt a ship calling for orders where the ultimate port of destination is not known at the time when she calls. It is construed as exempting a ship which puts into Falmouth in distress, or which passes through the Downs or Yarmouth Roads on her way to Hull or Newcastle, or through the Solent on her way to London. But it is supposed not to exempt a ship which puts into Falmouth in order to learn where she is to go.

Farrer, 39 *et seq.*
Squarey, 2376 *et seq.*

"In order to complete this outline of the law of compulsory pilotage, it is necessary to notice one of its most important consequences, viz., the exemption of the shipowner from liability for damage done by his ship when the ship is placed in charge of a pilot by compulsion of law.

"The first enactment on the subject was the 52 Geo. 3, c. 39, s. 30 (in 1812):—

"'No owner or master of any ship shall be answerable for any loss or damage for or by reason or means of any neglect, default, or incompetency of any pilot *taken* on board of any such ship, *under or in pursuance of any of the provisions of this Act.*'

"The Pilot Act of 1825, 6 Geo. 4, c. 125, which repealed the former Act, contained a section (sec. 55) in nearly the same terms. It exempted the owner from responsibility, not only when the fault was that of a pilot employed by compulsion of law, and also when the fault was that of a pilot acting in charge of the ship in pursuance of the Act, as explained in Lucey *v.* Ingram, 6 Meeson & Welsby, 302.

"This enactment was repealed by the Merchant Shipping Act Repeal Act of 1854 (17 & 18 Vict. c. 120), and was replaced by the 388th section of the Merchant Shipping Act of that year, which is in the following words:

"'No owner or master of any ship shall be answerable to any person whatever for any loss or damage occasioned by the fault or incapacity of any qualified pilot acting in charge of such ship within any district where the employment of such pilot is compulsory by law.'

"The immunity of the shipowner is confined by that section to cases in which the damage is occasioned by the fault of the pilot acting in charge, where the employment of such pilot is compulsory by law. All doubt was also removed as to the immunity being applicable throughout the United Kingdom.

"Before the first of these enactments, it appears that the Courts of Admiralty had always held the ship doing the damage responsible, notwithstanding that she was in charge of a compulsory pilot. And after the passing of the Act 52 Geo. 3, c. 39, Lord Stowell and Sir John Nichol, feeling the hardship caused by the exemption, refused to apply it on grounds which have been repudiated by later decisions.

"These decisions have proceeded on the principle that where the law takes the ship out of the charge of the owner and his servants, and places her in charge of another person, it is a just and logical consequence that the owner should be relieved from responsibility for the acts of that person; and it has been laid down by high authority, that this consequence would follow from a mere legal obligation to employ a pilot, even if there were no express statutory provision exempting the owner from liability; but at the same time the courts have felt the hardship of the exemption as against the ship suffering damage, and have confined its application, by a very strict application of the principle adopted by them. They have held, that the employment of the pilot must be compulsory at the time. They have also held, that wherever the casualty could be traced in any degree to the act of the master and crew, the owner was liable, and they have thrown on the owner the burden of proving that the casualty was caused by the pilot. These decisions have narrowed the injustice caused by the section, but have probably increased litigation, since the question whether a mistake was due to the pilot or the captain or crew is one extremely difficult to determine, and very likely to be productive of false evidence.

"At

---

* *See* R. *v.* Stanton, quoted in Dr. Lushington's judgment in Earl of Auckland, Parliamentary Report, 455, 1862, No. 92.

† *See* Parliamentary Paper, No. 455, 1862, Nos. 1 to 17.

‡ *See* Parliamentary Paper, No. 455, 1862, sections 37 to 41, pp. 39 to 46, case of the "Chase." *See* same Paper, sections 78 to 84, case of "Martha Alida."

"At any rate, the effect of this law, coupled with the frequency of collisions arising from the more crowded state of our channels and harbours, and the speed of steamers, is very remarkable. If a vessel, navigated by a pilot, but commanded by a master who has passed his pilotage examination, does damage, the owner is responsible. If a vessel navigated by a pilot whom, for any other reason, the owner is not obliged to employ, does damage, the owner is responsible. But if the vessel is navigated by a pilot whom the law requires him to employ, then, whether the owner would or would not, for his own sake, have employed the pilot, he is free from responsibility, and there is, practically, no remedy whatever for the injured party. The consequences, when followed out, are most absurd and most injurious. The following are some of the practical absurdities and inconveniences of this state of the law:—

"The whole class of smaller vessels which frequent our ports, and which never need a pilot, are deprived of all remedy when in collision with a ship which is compelled by law to employ a pilot. Appendix A., Nos. 1, 2, 3, and 4.

"The Admiralty Court is occupied with collision cases in which the question is, not which of two ships was in the wrong, and how much she ought to pay, but whether the one ship or the other, or both, was in charge of a compulsory pilot, and whether that pilot was or was not in actual charge at the time, and committed the fault which caused the collision.* This last question is one upon which it is most difficult to get at the truth, and which must inevitably lead to endless litigation, and equally endless false swearing.

"Two ships, A and B, both of the same size and description, come into London, A from the North Sea, B from the Channel. Both employ a pilot. They get into collision. If A is in fault, B has a remedy; if B is in fault, A has none.

"Two ships, A and B, say from Leith to London, both take a pilot at Orfordness. A has passengers; B has none. They get into collision. If A is in fault, B has no remedy against A; if B is in fault, A has a remedy against B.

"Two ships again, A and B, bound from Havre to London, take pilots at Dungeness. The master of A has taken pains to pass a pilotage examination, and he has a pilotage certificate. The master of B has, perhaps purposely, avoided doing so. They come into collision. A has no remedy against B, whilst B has a remedy against A.

"The object of the legislation of 1854 concerning passenger ships, viz., that of requiring, through the medium of compulsory pilotage, that masters shall learn to pilot their own ships, is thus defeated. Your Committee are informed that there has actually been a case in which the master of a Scotch passenger steamer asked the Board of Trade to contract the limits of a certificate which they had granted him, because his ability to pilot his own vessel exposed his owner to liability when in charge of a pilot.

"Again, a ship bound to London takes a London pilot at Scilly or the Lizard; a very common case. For damage by collision westward of Dungeness, the owner is liable. For damage done eastward of Dungeness he is not.

"Again, take the British Channel. As above stated, ships bound to or from Bristol are bound to take a pilot up and down Channel. Ships bound to or from Cardiff, Newport, and Gloucester are not. A Bristol ship gets into collision with a Newport, Cardiff, or Gloucester ship, both having pilots. The Bristol ship has a remedy; the Cardiff, Newport, or Gloucester ship has none.

"A further consequence of this exemption from responsibility, coupled with the doctrines laid down by the Courts concerning the relation between the master and the pilot, is to remove the responsibility from the master of the ship, and to prevent him from attempting to interfere with the management of the pilot, however bad that management may be. The following is an extract from the judgment of the Privy Council, in the case of Hammond *v.* Rogers, in the case of the 'Christiana,' Moore's Rep., p. 171. Baron Park says, 'The duties of the master and the pilot are in many cases clearly defined. Under ordinary circumstances we think that the pilot's commands are to be implicitely obeyed. To him belongs the whole conduct of the navigation of the ship, to the safety of which it is important that the chief direction should be vested in one only. It was never intentded that, under ordinary circumstances, the master was to exercise any discretion whether he could obey the pilot or not. There may be extraordinary occasions when the master would be justified in disobeying the commands of the pilot. If from sudden illness or intoxication he becomes incompetent to command, the supreme authority would revert to the master during the pilot's temporary incapacity. It may be the same in the case of manifest incapacity of a permanent character; but any opinion upon these questions is unnecessary for the decision of the present case, as none of these circumstances occurred. The pilot has unquestionably the sole direction of the vessel in those respects whereon his local knowledge is presumably required.' The same doctrine has been laid down by Dr. Lushington, and was relied on by the Court of Inquiry, in the recent notorious case of the 'Spindrift,' as a reason for exempting the master from blame. The obvious tendency of such a state of the law is to induce the captain to abstain from all interference with the pilot, however necessary. If, in order to prevent obvious danger, he interferes, he is, according to the above doctrines, exceeding his duty, and makes his owner liable for the consequences. If he goes below, or stands by and sees the pilot run his ship into danger, he knows that the law will free him and his owner from all blame or liability.

"Your

* *See*, for an instance of the utterly preposterous questions raised, Dr. Lushington's judgment in "Earl of Auckland," Parliamentary Paper, 455, 1862, No. 94.

Duncan, 9565 and 9711 *et seq.* Inman, 10363 *et seq.* Lamport, 3598–9 and 3668. Squarey, 2379 *et seq.* Bouch, 10906 *et seq.* Galloway, 4093. 4153.

"Your Committee have the strongest evidence of the mischievous tendency and bad effects of such a state of the law. All parties are agreed that, as a general rule, the master is the person who ought to be responsible for the navigation of his own ship, and that the pilot ought to be his adviser only, to point out to him the peculiarities of the local navigation. The captain knows the qualities of his own vessel and of his crew, which the pilot does not, and he acts under a stimulus which it is impossible to apply to a pilot. So much do many of the best and most careful shipowners feel this, that, in spite of the law and of the possible consequences to themselves, they direct their captains never to give up charge to the pilot, but to use him as a local adviser only; whilst others say that they think this the safe and proper course, but hesitate to adopt it for fear of making themselves liable for damage.

Holt, 11095.

"In confirmation of the above opinion concerning the state of the law, your Committee would refer to the Admiralty Regulations on this point. The following is the 7th section of the Navigation and Pilotage Regulations: 'The captain is to order everything that relates to the navigation of the ship to be performed as the pilot shall require; but, nevertheless, he and the master (that is, the navigating officer) are to attend particularly to his conduct, and if, from his or his mate's observations, he shall have reason to believe the pilot not qualified to conduct the ship, or that he is running her into danger, he is to remove him from his charge and to take such measures for the safety of the ship as the circumstances may require, noting the time of the pilot being so removed in the ship's log-book; and if the ship be damaged at any time through the ignorance or negligence of the pilot, but where a common degree of attention on the part of the captain and master would have prevented the disaster, those officers will be deemed to have neglected their duty.'

Farrer, 84 *et seq.* Squarey, 2386 *et seq.*

"Your Committee have also had evidence of the law of several foreign maritime nations on the question of exemption from liability where pilotage is compulsory. It appears that in New York, and probably in other pilotage waters of the United States, pilotage is compulsory; but it has been decided by the Supreme Court that the owner is not thereby exempted from liability. In France, Holland, and Belgium, the law is the same as in the United States.

"In the North German Confederation, the law is like our own, *i. e.*, compulsory pilotage carries with it exemption from liability.

"This point is the more important, since, as will be seen below, some of the strongest supporters of compulsory pilotage are yet strongly of opinion that the present exemption from responsibility should be done away with.

"The above are the most important features of the law of compulsory pilotage, generally. But it is difficult to understand its bearing without entering at some length upon the nature of the pilotage service at the different principal ports.

"Your Committee have had before them detailed evidence from the following districts in which compulsory pilotage prevails:—

1. The districts under the Trinity House of Deptford Strond, comprising the Thames and all outports, for which special provision has not been made by private Act or Charter. These districts are situated for the most part on the southern, south-eastern, and south-western coasts of England and Wales.

2. The Mersey.	5. The Bristol Channel.
3. The Clyde.	6. Dublin.
4. The Humber.	7. Belfast.

"The Trinity House of Deptford Strond has the most extensive pilotage jurisdiction in the United Kingdom. It licenses pilots for the London district, extending from Orfordness on the north to Dungeness on the south, and governs the pilots within these limits without the intervention of Sub-Commissioners. In 1853 the inward pilots from Dungeness to London, who had formerly been under the management of the Court of Loadmanage of the Cinque Ports, were transferred to the Trinity House, and now form, with the outward pilots from London, one joint service.

"The Trinity House have, from time to time, shown readiness to meet the views of the Government and the demands of trade, and the consequence is that their system, whilst still retaining the principle of compulsion, has been rendered more than usually anomalous by the number and extent of the exemptions.

Parliamentary Paper, 88, 1870

"They have always examined masters and mates of vessels fairly and liberally; and it appears that in 1869 there were 171 masters and 69 mates possessing certificates granted by them.

"The statutory exemptions to compulsory pilotage, as determined by the Merchant Shipping Act, 1854, s. 379, are as follows:—

"(1.) Ships employed in the coasting trade of the United Kingdom.
"(2.) Ships of not more than 60 tons burden.
"(3.) Ships trading to Boulogne, or to any place in Europe north of Boulogne.
"(4.) Ships from Guernsey, Jersey, Alderney, Sark, or Man, which are wholly laden with stone, being the produce of those islands.
"(5.) Ships navigating within the limits of the port to which they belong.
"(6.) Ships passing through the limits of any pilotage district on their voyages between

between two places both situate out of such limits, and not being bound to any place within such limits, nor anchoring therein.

"These exemptions (for some of which no good reasons can be given) are considerably wider than those which existed under former Acts.

"As has been stated, all coasters are exempt, and all vessels from or to ports in Europe north of Boulogne. This last exemption originally applied to the London district only, and was extended for the Merchant Shipping Act, 1854, to the Trinity House outport districts. Some years ago the Trinity House asked to have the exemption confined as before, but the Board of Trade refused to attempt to confine any existing exemption. (*See* Parliamentary Paper 455, 1862, Nos. 13 and 14.) There is really no sense or principle in the exemptions. Even as regards coasters the exemption is obsolete. In former times it may have been the case that coasters were a separate class, making shorter voyages, and consequently better acquainted with local navigation. This is not the case now. The shortest and most frequent voyages are in many cases those to the ports in neighbouring foreign countries, and vessels which one day are employed on a coasting voyage may the next day sail for a foreign port. The other exemptions are even less reasonable. A vessel from St. Petersburgh is as likely to need a pilot either in London or the outports as one from Havre; and a vessel from Antwerp or Havre is as little likely to require a pilot as one from Liverpool or Glasgow.

"The Trinity House have also, with the sanction of the Queen in Council, exempted from compulsory pilotage all vessels which, having come to this country from foreign ports, proceed in ballast to load at another port; and they have so reduced the compulsory rates on ships passing through Yarmouth Roads as to make it not worth the while of pilots to force their services on vessels which do not want them; two grievances which were much complained of have thus been put an end to.

"In the London District the appointment and service of pilots is extremely complicated, and this complication, coupled with the system of compulsory pilotage, and the numerous exceptions which have been made from it, has produced serious anomalies.

"The different classes of pilots are very numerous.

"1.—The Old Cinque Port Pilots.

"Of these there are now remaining. They are licensed to conduct vessels from Dungeness to London Bridge, and *vice versâ*, by the South Channel; and they have a system of contributions, and of pensions and allowances, distinct from those of the other Trinity House pilots.

"Though licensed to conduct vessels out as well as in, their employment is practically confined to the inward pilotage. They meet inward-bound ships at Dungeness or the Downs, and are there put on board in rotation from cutters which are the property of the Trinity House and under Trinity House management, and which have their regular cruising ground at the above-named places.

"2.—Inward Pilots by the South Channel, Licensed by the Trinity House since 1854.

"Of there there are now 59. They have the same functions and position as the Old Cinque Port pilots, except that they are only licensed as far as Gravesend, and are under the same rules, so far as regards contributions and pensions, as other Trinity House pilots.

"Trinity House, London, Outward Pilots, Licensed for the South Channel.

"These live in London, and take ships from London Bridge or Gravesend to the Downs or Dungeness. Though licensed for inward as well as outward pilotage, they are practically confined to the latter, because it is not worth their while to wait at Dungeness in the cutters until their turn in rotation arrives. They are 52 in number; 43 of them are licensed for the outward pilotage in the North Channel also. Some of those licensed before 1854 have licenses for the whole of the waters between London Bridge and the sea, whilst all licensed since that time are confined to the waters below Gravesend.

"4.—Pilots licensed from Orfordness Inwards by the North Channel.

"These are only licensed for inward pilotage, and they go as far as London. They are 62 in number. They cruise in cutters of their own, without control by the Trinity House. Those licensed before 1854 pilot vessels up to London. Those licensed since that time only go as far as Gravesend: 43 of them are, as above mentioned, also licensed for the South Channel.

"5.—Pilots Licensed Outwards by the North Channel.

"These go from London to Orfordness. Those licensed before 1854 take ships from London, whilst those licensed since that time go from Gravesend only.

"6.—River or Mud Pilots.

"These have been licensed since 1854, and pilot ships up and down between London and Gravesend. They are in number. The restriction of this pilotage to a distinct class was introduced in 1854, in consequence of application from the shipowners of London, who were then of opinion that a distinct body of men was needed for the service. Besides these, 50 of the North and South Channel pilots were licensed for this pilotage before 1854.

"7.—Pilots for Home Trade Passenger Ships.

"The licenses of these pilots are confined to this class of ships. They were introduced in or shortly after 1854, when the employment of pilots by home trade passenger ships was made obligatory, as above mentioned. Certain coasting steamers had previously been in the habit of employing unlicensed watermen to pilot them on the upper waters of the Thames, and, on their application, the Trinity House granted special licenses to these men. They are 22 in number.

"The above pilots are all licensed after examination; are subject to the control of the Trinity House; may be deprived of their licenses for misconduct; and are bound to charge certain fixed rates, neither more nor less. In the case of outward pilotage generally, and also in the case of inward pilotage at Orfordness and Gravesend, the shipowner is not bound to take the pilot in rotation, but may, if the circumstances permit, choose his pilot. At Dungeness the ship is obliged to take the first pilot who offers, and the pilots are compelled to offer themselves in rotation.

"But besides the above body of licensed pilots there are large bodies of men who live altogether, or in part, by the pilotage of vessels trading to and from London, who are wholly unlicensed, are subject to no special rules, and have no special privileges. These consist of—

Duncan, 9570.

"First.—The Deal Boatmen.—Of their capacity to handle large ships the licensed pilots speak disparagingly; but the shipowners state that they often receive valuable services from these men, and that they find them in places and under circumstances where the licensed pilots, sure of employment at their Dungeness station, are not to be found. The experience of the Board of Trade, in the recent cases of the 'North' and the 'Olivia,' shows that some of these men, now under no control whatever, are capable, not only of making extortionate demands for salvage, but of pillage of wrecked property, and fraudulent collusion with captains for the purpose of getting up false and fraudulent claims.

Parliamentary Papers, 389 and 539, 1867.

Spedding, 9041.

"Secondly.—Unlicensed men who take ships by the North Channel to or from the sea, or to or from the northern ports.—Of these men there appear to be a large number. One witness, a licensed pilot, puts those who get their living wholly or partially in this way at 1,000, and says there is as much unlicensed pilotage below as above Gravesend. The licensed pilots speak of them as broken-down captains, &c. But no complaints are made of these by shipowners; and the Chairman of the Shipowners' Society says that some of these men are first-rate pilots and very clever men; and he points out that whereas a licensed pilot would cost a ship of 1,500 tons 50 *l.*, one of these men performs the service admirably for 12 *l.*

Duncan, 9691 *et seq.*

"Thirdly.—Unlicensed watermen who pilot ships between London and Gravesend.—These men are freemen of the Watermen's Company, and like all other freemen of that Company, must have passed an apprenticeship of seven years on the river. But the number of free watermen employed in this pilotage is only a fraction of the whole number of free watermen employed on the river, and they are subjected to no special examination or test as to their capacity for this pilotage service. The number so employed is from 400 to 500, whilst the number of pilots licensed between London and Gravesend is only 70. Indeed it appears that on the Thames above Gravesend scarcely any captain ever takes his ship up or down without a pilot of some kind; and that as the number of licensed pilots is wholly inadequate for such a service, the unlicensed free watermen perform the greater part of it.

"No complaints are made of the conduct of these men; and though some of the licensed pilots state that more collisions happen to vessels in their charge than to those in charge of licensed pilots, they have brought no figures to sustain the assertion. On the other hand, a great shipowner states that there are more accidents with licensed pilots than with watermen; the principal complaints by bargeowners have been of damage caused to them by collisions with steamers in charge of licensed and compulsory pilots, for which the injured bargeowner can obtain no redress. And even if collisions were more frequent with vessels when in charge of watermen, the fact would not be suprising, considering that the number of vessels piloted by watermen is far greater than of those piloted by licensed pilots, and that watermen take vessels at all times of day and night, whilst the licensed pilots as a rule only go in the daytime. But the competency of the watermen for the navigation of the Thames is best shown by the facts of their employment. When the Trinity House licensed 23 watermen in 1854 for home-trade passenger ships, one of the reasons, as stated to your Committee by a licensed pilot, was that those steamers were in the habit of starting at all times of day and night, and as all times of tide; and that the licensed pilots would not undertake the responsibility of navigating ships unless free to choose their own time of starting.

Robinson, 12871.

Farrer, 59 *et seq.*, 409 *et seq.*

App. A., Nos. 1, 2, 3, 4.

Hinton, 9499.

Robinson, 12772.

Pattison, 8754 to 8761.

starting. Again, it appears that two of the unlicensed free watermen have been selected to pilot Government ships; that one of them earns 900 *l.* a year, and is employed largely in ships owned or managed by one of the Elder Brethren of the Trinity House; that another earns 500 *l.* a year, and is largely employed by two of the members of your Committee; that 25 of them earn 200 *l.* a year each, and that about 400 earn 50 *l.* each. And it is also proved that, whilst the licensed pilots' charges ranged, in the case of steamers or vessels towed by steam, from 18 *s.* for a ship drawing seven feet, to 3 *l.* 1 *s.* 6 *d.* for a vessel drawing 15 feet, and to 9 *l.* for a vessel drawing 23 feet, with intermediate charges in proportion, the charges of the watermen range only from 1 *l.* 5 *s.* to 2 *l.* In general, the watermen's charges are not more than half those of the licensed pilots. A screw collier making 70 voyages a year would pay 420 *l.* for a licensed pilot, whilst she only pays 170 *l.* for a waterman; and yet this waterman makes 500 *l.* a year. It is further shown that some owners, when obliged to take licensed pilots, take also one of these unlicensed watermen.

Hinton, 9303.

See Scale of Trinity House rates, App. A., No. 14.
Hinton, 9244 to 9249.
Spedding, 9053.
Hinton, 9414 to 9416.
Hinton, 9250.
Duncan, 9701.

"These watermen are liable at any time to be superseded by licensed points. But the pilots are clearly insufficient in numbers for the work, and they find practical difficulties in enforcing the law against vessels not subject to compulsory pilotage. As a matter of fact, whilst they do supersede the watermen when engaged in piloting to the Baltic, they do not interfere with them when employed in coasting steamers, or of in sailing vessels, not subject to compulsory pilotage, which, in consequence of the time they require, are much less profitable than steamers. These watermen, however, though so largely employed, are unable to get licenses under the present rules of the Trinity House, because they have not served 12 months at sea.

Robinson, 12764.
Hinton, 9279 to 9297.

"Under these circumstances it is not surprising that there should be many complaints.

"The shipowners complain that at Dungeness they have no choice of pilots, and that if pilotage were less hampered by restrictions they would find the pilots at the places they want them, and be able to select the pilots they prefer, or at any rate to refuse to employ those to whom they object; and they point to the pilotage in the North Channel, and in the Thames about Gravesend, as showing that greater freedom produces equally good or better service at a lower price.

Duncan, 9568 to 9570.
Robinson, 12754. 12767. 12887.

"The shipowners also complain of being obliged to take pilots at all when they do not want them, and of the harsh modes by which the pilots have enforced the right to employment.

Farrer, 30 *et seq.*
Robinson, 12757.

"The owners of small craft complain of the injury done to them by vessels in charge of compulsory pilots, for which they have no redress.

"The Cinque Ports pilots, whilst alarmed at the prospect of the abolition of compulsory pilotage, and anxious to retain the power of forcing themselves on inward-bound ships, and to be protected against the Deal boatmen, desire that the cutters shall be placed under their own management, free from Trinity House control.

App. A., Nos. 1, 2, 3, 4.
Millen, 7406. 7659.

"The pilots who are licensed for the waters below Gravesend, whilst anxious to retain compulsory pilotage as against the shipowner, and their exclusive privileges as against unlicensed pilots, are anxious to have their own licenses extended to the waters between London and Gravesend; and they point out that the effect of the present change of pilots at Gravesend is to delay a ship often for some hours, and to impose on the shipowner a charge amounting in large vessels to 20 or 25 per cent. greater than is payable where the pilot's service is continuous from London to the sea, or *vice versâ*.

Spedding, 9004.
Spedding, 9123 to 9125.

"The London pilots complain that, by requiring them to place their names on the list, and to serve in rotation at Dungeness, they are practically precluded from sharing in the inward pilotage of the South Channel, since it is not worth their while to stop at Dungeness for the purpose.

Spedding, App. A., No. 10.

"The pilots by the North Channel urge that there is no reason why they should not be allowed to pilot ships both ways, *i.e.*, both inwards and outwards.

Spedding, 9009.

"The Gravesend pilots, whilst desiring to retain Gravesend as a station, and to prevent the pilots between London and the sea from encroaching on the waters between London and Gravesend, also complain of the pilots licensed for home-trade passenger ships, and are anxious for greater powers to prevent the employment of unlicensed watermen by other vessels.

Hinton, 9316-18. 9341.

"The unlicensed free watermen are perfectly satisfied with their voluntary employment, and with their present rates of payment; but they complain of the power of the licensed pilots to supersede them, a power which, if this Bill passes, will, they fear, be more largely exercised than it has hitherto been, since the licensed pilots may, if deprived of the power of making vessels pay for them which do not want them, seek to compensate themselves by superseding the watermen on vessels now left in the watermen's hands.

Wood, 12424 *et seq.*
Luton, 12545 *et seq.*

"Amongst all these complaints there have been none, except on the part of pilots themselves, against the existing exemptions; nor has any evidence been given to show that either in the North Channel, where all pilotage is voluntary, or in the upper waters of the Thames, where the greater proportion of vessels are free to employ a pilot or not, the principle of voluntary pilotage has worked unsatisfactorily either to shipowners or pilots. On the other hand, it appears that both in the North Channel and in the waters above Gravesend, the supply of voluntary pilots is ample and good, and that the voluntary pilots are well paid, and satisfied with their earnings. It is out of that part of the system which is compulsory, and not out of that part which is voluntary, that the complaints and difficulties above noticed have arisen.

"Some of those complaints are, in the opinion of your Committee, well founded, and some are ill founded; but in both cases the conclusion to be drawn from them seems to be

that the greater the freedom of contract and employment, the greater the prospect of satisfaction to employer and employed.

"To what extent this freedom should go, and by what steps it should be introduced, are matters well deserving of consideration.

"They are, however, with the exception of the obligation to employ a pilot, matters which it is in the power of the Trinity House to deal with, and in making the following suggestions, your Committee feel that much must be left to that body and to the Board of Trade.

"It appears to your Committee that, so far as regards the Thames above Gravesend, little or no interference or control is wanted beyond the grant of a license to any man who may prove himself, either by long and successful practice or by examination, competent to conduct ships in those waters, with a power to withdraw the license in case of misconduct. From the experience of the free watermen, it seems that it is even unnecessary to fix a price, and that where, as in the Thames, a shipowner or captain has ample time and opportunity to make his bargain, absolute freedom in this respect has produced lower charges, more satisfactory service, and more ample remuneration to the best men, than a fixed charge.

"But great consideration is due to the pilots who have undertaken their present licenses on the faith of the present system, and it will be necessary to proceed cautiously and by degrees. Possibly an arrangement might be made by which all competent men might receive pilotage licenses, under the condition that they shall for a certain period confine themselves to the class of vessels they have hitherto piloted, and shall not take charge of the class of vessels hitherto piloted by licensed pilots, except in the absence of such pilots.

"As regards the rates, it is clear that, if they are to be fixed at all, they ought ultimately to be fixed at a rate not higher than that which compensates the skilled watermen; and as a step towards this end, the restriction which prevents a licensed pilot from demanding less than a fixed amount should be at once done away with. It is obvious that a licensed pilot is at a great disadvantage in competition with the watermen when he is not only authorised, but compelled, to charge twice as much as the waterman.

"As regards the sea pilots, whether by the North Channel or the South Channel, your Committee see no reason why all of them, if competent to pilot vessels between Gravesend and London, should not be licensed for the whole distance between London Bridge and the sea. It is obvious that any unnecessary limitation in the employment of competent men, and any unnecessary change of pilots must add to the cost of pilotage, and in this case it is proved to do so.

"Applying this to the pilots of the North Channel, your Committee see no reason why the same licenses should not in all cases extend both to the outward and the inward pilotage, as has since 1853 been the case with licenses for the South Channel.

"As regards the pilots of the North Channel, it is clear that whilst there is no want of employment for the 62 licensed pilots, who make incomes averaging 274 *l.* a year against 340 *l.* made by those in the South Channel, and no complaint, either concerning their inefficiency or the insufficiency of the service, yet that the number would be insufficient for the wants of the trade if it were not supplemented by a large number of competent but unlicensed men. The fact that there is ample employment for the licensed pilots, and the still more important fact that the pilotage in this channel is not compulsory, are, no doubt, circumstances which facilitate the employment of these unlicensed persons, and prevent the monopoly of an insufficient number of licensed pilots being felt as a grievance. It would, in the opinion of your Committee, be an improvement if the Trinity House were, by degrees, to enlarge the number of licensed pilots by this channel, so as eventually to embrace all the competent men; taking care, at the same time, that the rates do not exceed those which will command efficient service. Miller, 7322.

"The most difficult questions arise with respect to the South Channel. It appears to your Committee that the following questions deserve the careful consideration of the Trinity House, viz.:—

"Whether some freer system should not be established with respect to the cruising ground of the pilots, so that if, as the shipowners have stated, pilots are often needed further down the channel, pilots may be encouraged to cruise and seek them there.

"Whether the strict system of rotation at Dungeness should be continued, and whether a shipmaster should not have the option of choosing any pilot he may prefer, and of rejecting any pilot whom he disapproves,—This point has been strongly urged upon your Committee by the Chairman of the General Shipowners' Society, and there can be no doubt of its advantages if it can be adopted without breaking up the system. One of these advantages would be that it would facilitate the taking the same pilot inwards as well as outwards, and would thus save unnecessary labour and expense.

"Whether, having in the meantime due regard to existing interests, steps should not be ultimately taken for granting licenses to all such Deal boatmen, or other boatmen, as may prove themselves to be competent and of good character,—This seems desirable not less for the purpose of completing the pilotage service, than for the purpose of preventing extortionate demands on the part of the boatmen.

"As regards pilotage rates for all the sea-going pilots, it appears to your Committee that a maximum but not a minimum rate should be fixed: The evidence of the free watermen shows that a low charge with constant employment, whilst most advantageous to the shipowner, also produces the largest income to the pilot, and the licensed pilots should be as free in this respect as the watermen.

"There

"There is one point in the Trinity House system which calls for special remark, since it is in itself questionable, and also stands in the way of the various improvements suggested above. There is a large pension fund to which all Trinity House pilots, both in the London District and in the Outport District, contribute, and from which all on retirement receive pensions; but it is managed neither purely as a charity, nor on the strict principles of a benefit fund or insurance society. Each pilot contributes annually poundage, *i. e.*, 2½ per cent. of his earnings, and each pilot on retirement receives a pension, not proportioned to what he has paid but to his length of service, and the highest rate of pension is 28 *l.* a year. In order to receive this pension, pilots in the London District must prove that they have not 75 *l.* a year of their own, and those in the Outport Districts that they have not 50 *l.* There is an accumulated capital of 88,000 *l.*

Trinity outport pilotage not yet referred to.

Sir F. Arrow, 1435.

"The principle of this fund is obviously unjust, since it makes the pilots who earn much contribute in proportion to their earnings, whilst it gives them only the same small pension as those who earn and contribute little, and deprives them even of this small pension if they have laid by a moderate sum for themselves.

"The operation of the fund is also mischievous in impeding such reforms as those suggested above, since the vested interests of the existing pilots in the fund has to be considered when there is any question of adding to the number of existing pilots, or of altering their status and remuneration. Your Committee are of opinion that this system should be altered by winding up the present fund. In what manner this should be done—whether it should be made the basis of a new fund, founded on sound principles of insurance, or whether the pilots should in the Trinity House Districts be left to provide for their own retirement, as is the case in many other districts, are questions of detail, into which, as they do not materially or directly affect the subject of compulsory pilotage, your Committee do not think necessary to enter; and they content themselves with stating that they deserve the serious consideration of the Trinity House and of the Board of Trade.

"As regards the principal question, viz., that of compulsory pilotage, your Committee reserve the general arguments affecting the Thames, as well as other ports, for a subsequent part of this Report. As regards the evidence specially affecting the Port of London, it has been proved to your Committee that whilst in 1854, and even as late as at the time of Mr. Lindsay's Committee in 1860, the principal owners of sailing ships in London were in favour of compulsory pilotage, not only have no London shipowners taken any active part against the present Bill, but that the pilots, though they have tried to induce them to give evidence against it, have wholly failed. At the same time, the Shipowners' Society, representing the principal shipowners of London, have petitioned in favour of the abolition of compulsory pilotage; and their chairman, Mr. Duncan, and deputy chairman, Mr. Robinson, have given strong evidence in support of that petition, and have urged upon your Committee that much more freedom is required than is given by this Bill.

Farrer, 204 *et seq.* 221 *et seq.*

Miller, 7360.

Duncan, 9550 *et seq.*

Robinson, 12740 *et seq.*

"The steamship owners, daily increasing in importance, are and always have been against compulsory pilotage.

"The Trinity House, who so lately as 1862 remonstrated with Mr. Milner Gibson against any relaxation of compulsory pilotage, have made no sign against this Bill, whilst they have, in the course of the last winter, officially suggested to the Board of Trade that the exemption from compulsory pilotage in those districts, hitherto confined to coasters, should be extended to vessels trading between the Elbe and Brest.

"Almost the only evidence against the abolition of compulsory pilotage in the Port of London proceeds from the pilots who now derive supposed benefit from it. Even these witnesses limit their arguments rather to the amount of compensation they ought to receive than to the greater question whether compulsory pilotage should be retained; and some of the most intelligent of them have stated to your Committee that they have no apprehension of any loss of employment to themselves or their brother pilots if this Bill should pass.

"Under these circumstances, and apart from the more general question, it is obvious that no case has been made for continuing compulsory pilotage in the Port of London; and it also appears to your Committee that the first step to be taken in order to remove the anomalies above referred to, and to place the system on a sound footing, is to free the shipowner from all obligation to take a pilot when he does not require one.

"When this is done, and not till then, will it be possible to work out experimentally the further steps above referred to.

"Your Committee have also received evidence from the Chamber of Commerce of Falmouth, one of the outport districts of Trinity House, who are unanimously in favour of the abolition of compulsory pilotage at that port.

Fox, 12024.

"Falmouth is an excellent natural harbour with no trade, but a great port of call. The harbour has no outlying difficulties, and masters who know the port can enter and leave it without difficulty. The mail packets which call there find the pilots so useless, that they pay for them without allowing them to come on board, and collisions frequently occur from the inexperience of pilots managing large vessels. On the other hand, there are many foreign vessels which would take pilots, even in fine weather, and in bad weather they are much wanted for inward-bound vessels. But as pilotage is compulsory, pilots make their earnings in fine weather, and stay in port in bad weather; and the complaints are loud and frequent that they are not to be found when and where they are wanted, whilst they force themselves on board when they are not.

Fox, 12043. 12047. 12040. 12025. 12033. 12075.

"Next to the Trinity House districts, the most important pilotage district in the United Kingdom is that of Liverpool. One witness estimates the value of the property in ships

Danson, 3130. 3314.

and cargoes passing in and out of the Mersey in a year, at 400,000,000*l.*, and the number of lives at 400,000. It is also the port at which the question of retaining or abolishing compulsory pilotage has raised the greatest difference of opinion, and from which, in consequence, your Committee have received the largest amount of evidence.

Squarey, 2349.

"The present Liverpool pilotage system dates from 1765, and a further Act was passed in 1797. The regulation of pilots was entrusted to a committee appointed by a body of commissioners representing, or supposed to represent, the Corporation and various interests at the port. Under these Acts pilots were licensed, pilotage rates were fixed, and pilotage was made compulsory. In 1824 the Acts were consolidated and the system of owning pilot boats described below was first introduced. Subject to the general alterations in the

Squarey, 2351, 2352.

pilotage laws of the United Kingdom mentioned above, these matters remained in this condition until 1857. In that year the Mersey Dock Board, which had been constituted by an Act of the previous Session brought in a consolidating Bill, and in pursuance

21 & 22 Vict. c. 90.

of directions in the Act which created them, included in that Bill provisions concerning pilotage, and by the Consolidation Bill as passed, the local pilotage of Liverpool is now regulated.

2353.

"The Mersey Dock Board themselves, elected by the dock and harbour ratepayers, are the ultimate authority; but the immediate management is in the hands of a committee called the Pilotage Committee. It is appointed annually by the Dock Board, and consists of 12 members; four of them are required by the Act of Parliament to be persons who are not members of the Board, but who are familiar with the duties and qualifications of pilots, and the other eight members, making up the 12, are selected from the members of the Dock Board.

"The pilotage district of the Mersey extends from Point Linas, in Anglesey, to Liverpool.

"By the Mersey Docks, 1868, s. 129 (Pilotage), all inward-bound vessels are bound to take a pilot on arriving at the pilot station, and all outward-bound vessels are bound to take a pilot until they reach the Bell Buoy. If they do not take a pilot, they are, by the

3.

Local Act, compelled to pay pilotage; and by the Merchant Shipping Act, s. 353, the

Squarey, 2404 *et seq.* 2496 *et seq.*

penalty of double pilotage attaches. An attempt has been made to show that the Liverpool Act does not compel a master to employ a pilot or to put the ship in his charge; but only compels them to pay pilotage rates. It is, however, clearly proved to your Committee,

Farrer, 42 *et seq.*

not only that the general penal enactment in the Merchant Shipping Act applies to Liverpool, but that it has been decided by the highest authority that the Liverpool Act itself makes the employment of the pilot compulsory; takes the ship out of the hands of the master and places her in those of the pilot; and relieves the owner from liability for damage done by his ship when under the charge of the pilot.

"The exemptions from compulsory pilotage in Liverpool under the Local Act extend to coasting vessels under 100 tons, and to coasting vessels in ballast. Coasters pay only half pilotage. But vessels are not considered coasters if they have made a voyage to a foreign port within six months. Under this clause there are considerable anomalies. If a

Simpson, 4483 to 4488.

vessel under 100 tons has been engaged in trading (say) to Aberdeen or Newcastle, she is exempt. If such a vessel has been trading to those ports, or to nearer ports, such as Dublin or Bristol, and within six months has been to Brest or Havre, she becomes liable. If a large coasting steamer has a barrel of beef on board she is liable. If she has no cargo, but has a full load of passengers she is not, so far as the Local Act is concerned.

"A further practical exemption has been made in the case of coasting passenger ships.

Farrer, 143. Watson, 10696 to 10699. Simpson, 4474. 4482.

These ships, as conveying cargo, were subject to compulsory pilotage under the Local Act. This was much complained of, and in 1853 an arrangement was made with the pilots to the effect that those ships should be exempted altogether from outward pilotage; and as regards inward pilotage, that they should not be compelled to employ pilots so long as they paid 1*s.* a foot to the pilots. They have since continued to do this; have never

Bremner, 4755.

taken pilots; and pay the pilots a sum, which in 1869 was about 1,500*l.*, for no service whatever. Their ships have been safely navigated by their own officers without casualties. This arrangement was confirmed by Order in Council, under the old Pilotage Committee, has continued under the present Mersey Board, and is still in force.

"The exemptions arising from examinations and licenses of masters and mates are very few at Liverpool. Only 10 possessed such licenses in 1869. Since

Parliamentary Paper, No. 70.

1859, only 36 have applied, and only 22 have passed. The reasons for this given by the different parties differ. The officers of the Mersey Board state that the examinations are

Simpson, 4254. Hills, 2734. 2738. Squarey, 2397. Leyland, 9971. 10056.

freely and fairly conducted, and that any competent man could pass; and the reason they allege for the paucity of applications is that the obtaining a certificate of exemption from compulsory pilotage would render the owner liable for damage. And in this they are supported by the evidence of some of the large owners of foreign-going shipping.

Farrer, 148 to 154.

"On the other hand, it is clear that the pilotage authorities in Liverpool for long refused to examine at all under the Act, alleging as a reason the grave responsibility for life and property under which they laboured; an allegation which is curiously inconsistent with

Watson, 10695. 10757. Reynolds, 11030.

the arrangements which, as above stated, they had made with the coasting steamers, an arrangement characterised of one of their own officers as an 'unholy compact;' and the owners and captains of coasting steamers still appear afraid of applying to the Mersey Board. In fact, as the 1*s.* per foot is a small charge, they do not care much about the local obligation; but as their ships, when carrying passengers, are under the 354th section of the

the Merchant Shipping Act required to take pilots, and as the Board of Trade have in some recent cases declined to grant certificates excepting from this obligation, and have referred the officers and employers to the Mersey Board, the question of examination by the latter is likely, if the law remains in its present state, to arise again. Farrer, 150.

"Under this system and its exemptions, it appears that there are about 48,000 vessels passing through the channels in and out of the Mersey, of which about 15,000 take pilots and 33,000 do not. The latter comprise the coasting steamers and a large number of small flats and coasters. Hills, 2790.

"The principal feature of Liverpool pilotage is founded on the importance of having the pilots stationed at given points in the approaches to Liverpool. There are 12 boats, of which six are cruising at one time. The one furthest out is near Point Linas, in Anglesey, and the inner boats near the North-West Light Ship. So soon as she has discharged all her pilots into inward-bound ships she returns to port; the next boat takes her place, and so on, and another boat from Liverpool replaces the inner boat. Great pains seem to be taken to keep the boats on their stations. The pilots are put on board inward-bound ships in rotation, and their masters have no choice whatever. Even if a pilot has already misconducted himself, and brought loss on the owner, he cannot refuse to employ him; nor can a vessel find a licensed pilot beyond the above stations. Simpson, 4202, and following. Bouch, 10884.

"As regards outward pilotage, the general rule is, that the pilot who brought the ship in takes her out; but this is not universal. If the pilot is ordered to go out, he must go; and if a shipowner particularly desires to have any particular pilot the choice is, under certain conditions, allowed him; but it does not appear that this choice is readily given, or much made use of. Simpson, 4246.

"Compulsory pilotage ceases at the Bell Buoy, outside the Bar, and there was formerly a penalty for taking pilots further. But it was found very inconvenient that pilotage should cease at this point, which is often the point of the greatest difficulty, and consequently the penalty has been relaxed, and vessels are allowed to take pilots outwards as far as Cape Linas, and two pilot boats now cruise between the Bell Buoy and the North-West Light Ship to supply pilots to ships which, having got rid of their outward pilot, still find themselves in need of one. This pilotage is quite voluntary, has arisen out of the demand, and is much made use of. Hills, 2865 to 2884. Simpson, 4442.

"A further important exception from the strict cruising system has been made in the case of the large and regular steamers trading to America, which call at Irish ports. In these cases the pilotage authorities have allowed the owners to select a pilot, who is attached exclusively to these steamers, and who goes out to Queenstown or Londonderry with one vessel, and returns in the next inward bound vessel belonging to the same owner. There are at present 14 of such pilots attached the vessels of seven different owners. The practice commenced in consequence of the dissatisfaction of Mr. Inman with the pilots he was obliged to employ, and was suggested by the superintendent of pilots himself; and it appears from the evidence of the superintendent of pilots, that the practice is extending, and that the pilotage authorities are willing to extend it. Simpson, 4247 to 4253. 4312 to 4315. Appendix (F). Inman, 10240. 10244.

"The pilots so employed, however, get no more than other pilots, and pay their earnings into the fund of the boat to which they are attached. Mr. Inman pays each of his three choice pilots 540 *l.* a year, of which only 180 *l.* goes to the pilot himself, the remainder going to the pilots who have not earned it, and to the boat-owners as after mentioned. If all the 14 choice pilots are in the same position, it would follow that they earn amongst them 7,560 *l.* a year, of which they receive 2,520 *l.*, whilst 5,040 *l.* goes to maintain the station and boat system. If this system of choice pilots should extend, as seems likely, the result will be, that the best pilots on the largest and most regular ships will contribute a very large proportion of the expense of keeping up a system which is of no possible use to them, or to the ships which employ them. Simpson, 4314. 4321. Inman, 10256.

"The number of pilots at Liverpool, including licensed apprentices, is 284, and there are besides 34 unlicensed apprentices. Their aggregate earnings in 1869 were 67,500 *l.* The average earnings of a first-class pilot are now 215 *l.* to 218 *l.*, being less by 30 *l.* than they were some years ago, and considerably less than the earnings at ports where the pilotage is voluntary. It will be reduced in 1872 by about 30 per cent., in consequence of the cessation of the compensation for differential rates on foreign ships, a compensation unjustifiable in principle, which was given up by the Trinity House in 182 , but which was only put an end to in Liverpool and other outports by an Act of 1862. The falling off now perceptible is due partly to the larger size and smaller number of vessels, whilst the greater employment of steam, either in the vessels themselves or as tug power, and the consequent regularity in arrivals, enables a smaller number of pilots to do the duty. The pilotage authorities are now reducing the number of apprentices, allowing only six to a boat, instead of 10 as formerly; and the chairman of the pilotage committee states that whereas the present number is 318, only half them are at sea at one time, and that from 250 to 280 would be sufficient for the port. Moss, 3825. Moss, 3821. Moss, 3832. 3841. Moss, 3834. 3831. 4015.

"Some of the pilots state that a much smaller number would be sufficient; that half of them are constantly idling and wasting their time in Liverpool; and that a well employed pilot is not employed for more than 40 out of the 365 days in the year. In the substantial truth of this statement the pilots are confirmed by some of the shipowners. Holt, 11147. 11153. 11221.

"The earnings of the pilots in each boat are appropriated to that boat. They are paid to the treasurer of the pilots, who pays over 2½ per cent. to the Dock Board, on account of the Squarey, 2362.

Holt, 11143. App. A., No. 15.

the Annuity Fund. The remainder is appropriated to the boat which has earned it, and is divided, according to the bye-laws, in the following proportions :—

		Shares.
Owners of the boat	For the boat	2½
	For each licensed apprentice	⅔
	For all unlicensed apprentices	1½
Masters		1
Pilots, 1st Class		1
„ 2nd Class		⅔
„ 3rd Class		

"As given in more detail by the superintendent of pilots, this will be :

Simpson, 4173–4.

To boat-owners	Boat's share	2½
	4 licensed apprentices	2⅔
	– unlicensed „	1½
	To boat-owners	6⅔
3 masters		3
To pilots :		
16 first-class pilots		16
1 second-class pilot		⅔
1 third-class pilot		⅓
	Whole earnings	27⅙

"Consequently, of the earnings, about one-fourth goes to the boat-owners, one-eighth to the masters, and the remainder to the pilots themselves, amongst whom it is divided in the above proportions. The aggregate earnings for 1869 were 67,500 *l.*, out of which 49,600 *l.* was paid to pilots and apprentices, and 16,000 *l.* to boat-owners. The average net earnings of each pilot for 1869 was 195 *l.*, the highest net earnings of any one pilot 210 *l.* This, as above mentioned, is considerably less than it has been in former years, and it will be diminished further next year.

Simpson, 4447. Parliamentary Paper, 88, 1870.

Squarey, 2376. Simpson, 4175 and following.

"The system of boat owning is very peculiar. They are owned in shares by pilots and superannuated pilots, in the following proportions :

34 Masters own	330	shares.
40 Actual pilots	200	„
20 Superannuated pilots	238	„
Total	768	

"Out of the earnings of each boat, about one-fourth part as above mentioned goes to the boat-owners, who, on the other hand, have to pay the expense of working the boat, of maintaining her in good condition, and of replacing her when worn out. When the owner of any share dies, his share is put up to auction among the pilots or superannuated pilots, at a price fixed by the Mersey Board. If not bought at that price, the Mersey Board can allow the representatives to hold it for a year, and so on. The price and value of the shares depends, not on the cost and expense of the boat, but on the proportion of pilotage earnings allotted to her, which is the interest on the money thus invested. The average price per share paid for the last five years has been 118 *l.* The aggregate price paid by the pilots is thus, 90,700*l.*, or according to the pilot's solicitor, 92,160 *l.* The aggregate value of the boats when originally built was about 30,000 *l.*; and as they have been built at different times from 1847 downwards, their present actual value must be much less. The working expenses of the boats are estimated at 5,000 *l.* Depreciation and insurance, that is, the cost of repairing and insuring, are estimated at 12½ per cent. on the actual value. Interest on 30,000 *l.*, at 5 per cent., would be 1,500 *l.*

Simpson, 4179. Appendix (J). Bremner, 4652. Simpson, 4194. 4449.

The actual sum paid to the boat-owners in 1869 was, as above stated, 16,000 *l.* Assuming the value of the boats to be 30,000 *l.*, the account would stand as follows :

	£.	£.
Sum paid to boat-owners		16,000
Actual expenses :		
Interest on capital	1,500	
Depreciation and insurance	3,750	
Working expenses	5,000	
		9,350
Leaving £.		6,650

as a sum which is deducted from the earnings of the working pilots in order to pay interest at the rate of 9 or 10 per cent. to those of the pilots who have invested in the boat shares. But as the actual value of the boats is much less than 30,000 *l.*, this latter sum is, in truth, considerably higher. This practice was first established in 1824, and has been continued ever since, though pointedly condemned by the Royal Commission of 1836, and loudly complained of by many of the pilots. It is obvious that under it money earned by the pilots is devoted from the legitimate objects, viz., payment for services rendered, and that it

Squarey, 2367. Farrer, 711.

it is either an improper deduction from well-earned wages, or an unnecessary burden on the shipowner. It has also the effect of creating the opposition of a vested interest to any change in the system of cruising and of employing pilots, an effect which, under the present circumstances of the Liverpool pilotage, may be a very serious evil.

"There is a pension or annuity fund arising from 2½ per cent. contributed by the pilots out of their earnings; the interest on 10,691 *l.* of invested capital, and certain balances from fees or licenses, and from penalties, making an income in 1869 of 2,306 *l.* The pensions are paid to superannuated pilots, their widows and orphans, making in the aggregate of payments in 1869, of 2,074 *l.* The pensions to pilots are about 27 *l.* per annum. Simpson, 4270 *et seq.* Bremner, 4637.

"Under these circumstances, very different opinions have been expressed by the Liverpool witnesses with respect to the present system.

"Many of them are well satisfied with it as a whole, but wish for certain amendments, noticed below; whilst all admit that amongst the pilots are excellent men, that the remuneration of these men is too low rather than too high, and that the rates are very moderate.

"On the other hand there are many complaints.

"Some shipowners, even of those who support the present system, and many of the pilots, wish that the pilots should cruise further outwards in search of ships.

"Most seem to be of opinion that the present boat-owning system is an evil, and many of the pilots complain bitterly of it.

"It appears also to be admitted on all hands that the number of pilots is too large.

"The steamship owners, and some others, are extremely dissatisfied with the results of the discipline administered by the pilotage committee. They say that complaints are not attended to, that pilots are inadequately punished, and that no system of regulation and discipline can have the same effect in procuring good service as free employment and free choice.

"As regards the present Bill, the following are the points in the Liverpool evidence which seem worthy of remark.

"The Mersy Dock Board, a body composed of persons elected by the dock ratepayers, have sent up their secretary to give evidence against the extension of the Bill to Liverpool, though they passed no resolution on the subject, and were much divided in opinion. Squarey, 2537 *et seq.*

"The Shipowners' Association of Liverpool, which represents the sailing-ship owners, have passed a unanimous resolution in favour of the present system. Squarey, 2571–73. Shallcross, 3428.

"The Steam-Ship Owners' Association of Liverpool have passed a unanimous resolution in favour of that part of the Bill which abolishes compulsory pilotage. Squarey, 2574. Leyland, 9962.

"As regards these two interests, it is to be observed that whilst the total entries and clearances of sailing tonnage in Liverpool have increased from 3,070,104 in 1850 to 3,867,697 in 1868, the tonnage of steamers has increased in the same period from 192,570 to 2,572,297, and is still increasing, and likely to increase in a still greater proportion.

"The owners of small coasting vessels complain of having to employ pilots when they do not want them, and they also complain of the mode in which the rates are fixed, as unfair to small vessels.

"The pilots are divided in opinion. Some of them are of opinion that the present system should stand, whilst others think that the change proposed by this Bill, whilst it may cause injury to the less efficient pilots, will, in the end, benefit those who are more efficient.

"As a general rule, those who are in favour of compulsory pilotage, as well as those who are opposed to it, think the immunity from liability for damage when the ship is in charge of a compulsory pilot, to be a greater evil, on the grounds that it is unjust; that it causes litigation; that it tends to induce masters to give up the command of their ships to pilots; and that it tends to induce the pilot to collude with the master of the vessel to take undeserved blame upon himself. All, also, are agreed that the pilot should be the adviser of the captain, and not his substitute. But there is a great difference of opinion as to whether it would be right to do away with the immunity without also doing away with the obligation to employ a pilot. On the one hand, Mr. Squarey, the able and experienced solicitor to the Dock Board, argues strongly from the practice of foreign countries in favour of retaining the compulsion and doing away with the immunity, and he is supported by Mr. Danson, Mr. Lamport, and Mr. Galloway. On the other hand, the whole of the witnesses who are opposed to compulsory pilotage, and the steam-ship owners generally, as well as some of the supporters of compulsory pilotage, argue with great force, that if a shipowner is compelled to employ a pilot he cannot justly be made liable for the acts of that pilot. Squarey, 2443. 2520. Danson, 3183. Lamport, 3581 *et seq.* Moss, 3868. Galloway, 4091. Leyland, 9962 *et seq.* 10184. Inman, 10243. Bouch, 10907 *et seq.* Squarey, 2376 *et seq.* Lamport, 3597, &c. Galloway, 4094, Leyland, 9968. Inman, 10253.

"A second point on which opponents of compulsory pilotage are agreed, but upon which its supporters are at variance, is as to the proper meaning and effect of compulsory pilotage. Mr. Squarey represents the view that compulsory payment is all that is required; that the obligation to pay is the important element; that this payment is like light or harbour dues, a tax is levied generally upon the trade of the port for the maintenance of a service which is at times necessary for, and is always available by all. And in this view he is supported by Mr. Lamport. On the other hand, Mr. Danson, Mr. Moss, and Mr. Galloway think that the more important element is the compulsory employment, for the sake not only of the vessel itself, but of other vessels and of the channels of the port. Bouch, 10910. Judkins, 2149. Ballantine, 3118. Shallcross, 3454. Squarey, 2400, &c. Lamport, 3566. Danson, 3138. Moss, 3865. Galloway, 4094.

"A further point on which there is great difference of opinion is that of the existing

exemptions. The witnesses in favour of the Bill are of course for doing away with exemptions, by making them universal. The witnesses in favour of the present system are not equally unanimous. They are all in principle, against the proposed exemptions, feel the anomalies they create, and would do away with them if they could. But the more cautious know that this is impracticable, and admit the necessity, if compulsory pilotage is continued, of continuing those anomalies.

Judkins, 2049. Squarey, 2456. Ballantine, 2980. Danson, 3139. 3232. Lamport, 3636. Moss, 3924. Simpson, 4241. 4361. Bremner, 4769. Leyland, 10017. Inman, 10263. Bouch, 10947 *et seq.*

"Another point on which the opponents of compulsory pilotage are agreed, but on which there is not the same apparent agreement among its supporters, is connected with the boats' stations and cruising ground of the pilots. The opponents are agreed that the pilots are often needed much farther out than they are now found, and say that if the system were a free one they would be found on the coast of Ireland, would be largely employed, and would earn much more than they do at present. And they are fortified in this by the case of the 14 choice pilots employed by the North American steamers. Many of the pilots themselves are of the same opinion. Mr. Lamport, a supporter of compulsory pilotage, is also of opinion that the pilots should cruise farther. But the chief strength of the case in favour of compulsory employment of pilots is vested on the absolute necessity for maintaining in its integrity the present system of cruising station, a thing which it is scarcely possible to do if a number of the pilots are to seek employment elsewhere. And it is to be observed that two of the strongest nautical witnesses in favour of this system, are Captains Judkins and Ballantine, of the North American Mail Steamers, who never make use of these stations, and who voluntarily take and pay extra for pilots from Cork and Londonderry.

Jones, 10561–3. Lamport, 3595.

"Putting aside these differences, the main arguments of those who support compulsory payment of pilots, as distinguished from compulsory employment, are,—

"1. That the approaches to Liverpool are exceptionally dangerous, and require exceptional treatment.

"2. That if the employment of pilots is voluntary, they will be taken in bad weather, but not in good weather.

"3. That under such circumstances, they will not keep the sea or look for vessels in bad weather.

Lamport, 3570 *et seq.*

"4. That discipline and regulations, coupled with the knowledge that they must obtain employment, are more effective stimulants to energy and good conduct, than competition, and the expectation of good pay for good service.

Danson, 3138. Moss, 3794.

"To these the advocates of compulsory employment, as well as compulsory payment, add that it is necessary pilots should be employed as well as paid.

"1. For the safety of the ship herself, of the lives of those on board, and of her cargo.
"2. For the safety of other ships which she may meet.
"3. To prevent her from being wrecked and blocking up the channels.

"Of these arguments, most are general, and are discussed below. As regards the special case of Liverpool, it seems desirable to make one or two observations. Comparatively little argument has been directed to the outward pilotage. The reason is probably twofold. First, the opponents of compulsory pilotage having to a certain extent a choice of pilots in Liverpool, and being for the most part owners who would under any circumstances employ a pilot, do not care so much about it as about the inward pilotage. Secondly, that part of the outward pilotages which is most dangerous, viz., that which is outside the Bell Buoy, is now entirely voluntary, is well maintained, and causes no complaints. This latter reason is one which in the opinion of your Committee has an important bearing on the whole system of compulsion.

Hills, 2865.

"As regards the statement that Liverpool is exceptionally dangerous; your Committee have the most positive evidence from a number of witnesses, not only that Liverpool is the most dangerous port in the kingdom, but that exceptional danger is a special reason for compulsion. But it is not a little remarkable that most, if not all, of these witnesses, when pressed, expressly state that they know little or nothing of the nautical dangers of other ports, and that they are absolutely ignorant of the working of the pilotage systems at the numerons ports when it is voluntary. And, on the other hand, your Committee have strong evidence, from Liverpool shipowners and others, that the dangers of Liverpool have been much exaggerated, and that captains used to the port can, and do, bring their vessels in and out in safety. And your Committee have also evidence of the most trustworthy kind, that the difficulties of the Thames are fully as great as, if not greater than, those of the Mersey. But even supposing the Mersey to be the more dangerous, the consequence, according to all experience, would seem to be, not that compulsion is requisite, but that pilots will, under a voluntary system, be the more needed there, and therefore the more employed.

Judkins, 2077; Hills, 2669; Ballantine, 2983; Danson, 3135; Lamport, 3645; Moss, 3886; Galloway, 4106; Simpson, 4166.

Judkins, 2151. 2075. 2127. 2199. 2244. 2256; Hill, 2840 *et seq.*; Ballantine, 3026. 3059; Danson, 3279. 3327. 3345; Shallcross, 3478; Lamport, 3641. 3650. 3771; Moss, 3888; Galloway, 4125; Simpson, 4527. 4529.

Leyland, 9969. 9985; Watson, 10703 *et seq.* 10745 *et seq.*; Bouch, 10914; Reynolds, 11021.

Reynolds, 11016; Arrow, 1844; Castle, 7736; Tillman, 7774; Robinson, 12797.

Turner, 4775 *et seq.* Henderson, 4890 *et seq.* Allan, 5209 *et seq.* M'Kelvey, 5392 *et seq.* Alexander, 5436 *et seq.*

"Your Committee have also received evidence for Glasgow. It appears that pilotage is compulsory on all vessels above 60 tons burthen from Newark Castle above Port Glasgow to Glasgow. For a large part of the way the course of the river is tortuous, narrow, and artificial, and it is encumbered by an enormous traffic, and is being constantly dredged. According to all the witnesses, the assistance of a person accustomed to the navigation is necessary,

necessary, not only for the vessel itself, but in order to prevent injury and obstruction to other vessels, to the navigation, and to the works of the Clyde Trustees. The masters and mates of steamers navigating the Clyde are freely licensed to pilot their own vessels. In 1869, 125 were so licensed. An exception has been made, by Order in Council, in favour of vessels of a somewhat larger size when towed by steam-tugs; but the exception has not been made use of. The evidence from Glasgow is strong and unanimous in favour of the present system, whilst it is equally unanimous in favour of voluntary pilotage below Greenock. The case is a very peculiar one, and is more in the nature of harbour police and regulations than of pilotage.

"The assistance of some person skilled in the navigation appears to be generally desirable, if not necessary. At the same time there seems to be little room to doubt that, without compulsion, vessels which require such assistance would, as a matter of course, take it. And the apprehension expressed by Glasgow witnesses that foreign vessels, ignorant of the dangers, would not do so, receives little countenance from the fact so distinctly proved to your Committee, that foreign vessels in non-compulsory pilotage waters do, as a matter of course, generally take a pilot; and that even on coming to Glasgow, these vessels are in the habit of taking a pilot in the outer waters where no British vessel would think of taking one.

"The pilotage district extends from Dimlington, on the north of the mouth of the Humber, to Donnanook, on the south, up the Humber as far as Hull, and farther upwards up to Goole and Gainsborough. The pilots are licensed by the Trinity House of Hull, and are controlled by Pilotage Commissioners, consisting of representatives from the Trinity House, the Hull Corporation, the merchants, and the shipowners. There are 68 pilots between the sea and Hull, and 21 apprentices; and the number of pilot boats is seven, of which three are always cruising at the mouth of the Humber. The Trinity House have always examined masters and mates freely. The number possessing licenses in 1869 was 283; in fact, almost all the vessels belonging to Hull shipowners are thus exempt from compulsory pilotage. The earnings of the pilots are thrown into a common fund, and, after payment for boats and other expenses, are divided amongst them. The average amount received by each pilot for the last five years has been 148 *l.* All coasters are exempt, and all foreign-going vessels drawing less than 6 feet of water; so that, practically, almost the only vessels subject to compulsory pilotage are foreign-going vessels, whose owners are not represented on the Hull Pilotage Commission.

Bannister, 5549.
5542, 5543.
5546. 5547.
5589.
Lumsden, 6221.
Bannister, 5782.
5593.
Brewis, 6069.

"Your Committee have received evidence from the Pilotage Commissioners, the shipowners, and pilots of Hull, in favour of retaining compulsory pilotage, and urging that the pilotage is exceptionally difficult, and that compulsory pilotage is necessary for the safety of the foreign ships which frequent the port; but in this case, as in that of Liverpool, it is remarkable that these witnesses know nothing of pilotage at ports where it is voluntary, and are not even aware that, in the North Channel of the Thames, the same class of ships, which in the Humber are obliged to take pilots, do as a matter of fact employ a large and well paid body of pilots without any compulsion whatever; and in the case of the Humber there is the additional fact, that the witnesses who advocate compulsory pilotage are themselves exempt from it.

"On the other hand, your Committee have had loud complaints of the incidence of pilotage rates on small foreign-going vessels trading to Goole and Gainsborough, and also from all the representatives of shipping at the port of Grimsby; and your Committee have also had conclusive evidence that there is nothing exceptional in the pilotage of the Humber.

Appendix A., No. 19.
Josse, 12082 *et seq.*
Oates, 12181 *et seq.*
Arrow, 11860.
Oates, 12229.
Josse, 12112. 12138.

"Your Committee have also had evidence that there is considerable dissatisfaction amongst the pilots. That the younger pilots wish to have an opportunity of earning more. That not more than one-half of what is paid goes to the pilots. That the seven cutters are far more than sufficient. That many of the pilots themselves would wish the pilotage thrown open, supposing that it would lead to larger employment of the better men.

12201 *et seq.*

"Finally, your Committee have had evidence that whilst the Humber pilots, whose service is compulsory, and who cruise in numerous and expensive vessels provided by the pilotage authority, are often not to be found when wanted, there are also a set of pilots licensed by the Trinity House of Hull, for the purpose of piloting vessels from the sea to Lynn, Boston, and Wisbeach, whose service is voluntary, and who cruise in all weathers in small and comparatively cheap but efficient vessels, and that these pilots are always to be found at sea when wanted, cruising from Flamborough Head to the Deeps, so that they not unfrequently bring even Humber vessels to the place when they can find a regular Humber pilot. In conclusion, your Committee are of opinion that there is no substantial difference between the case of Hull or that of the North Channel of the Thames. The vessels frequenting both are of the same class and character, and in the case of the latter are already exempted from compulsory pilotage without any evil result whatever. Practically, compulsory pilotage in the Humber is confined to foreign vessels, and for the most part these vessels, when navigating the North Channel of the Thames, take pilots without compulsion. There is, therefore, no good reason for retaining compulsion in the Humber.

"Your Committee have also taken evidence from Bristol and from the neighbouring ports in the Bristol Channel.

See Parliamentary Paper, 70, 1870. Clegram, 1031 *et seq.* Drew, 6396 *et seq.*

"Pilotage within the Bristol Channel to the eastward of Lundy Island may be divided into two classes, viz.:

"(*a.*) Pilotage on the waters of the Channel itself, or Channel pilotage.

Rosser, 6882 *et seq.*
Johnson, 12240 *et seq.*

"(*b.*) Pilotage within local limits of, and adjacent to, ports and rivers of the Channel; or local pilotage.

"As regards Channel pilotage, by the Act 47 Geo. 3, c. 33, s. 19, it was made compulsory on all ships bound to or from ports in the Channel to employ pilots licensed by the town council of Bristol.

"This enactment placed the whole of the Channel pilotage of the Bristol Channel in the hands of Bristol pilots, hereinafter referred to as "Pill" pilots, from the name of the village at which they reside.

"As regards local pilotage, Bristol had jurisdiction in certain ports under the Act 47 Geo. 3, whilst Acts were from time to time passed giving to certain authorities powers of compulsory pilotage within local limits, *e. g.*:

Gloucester	Obtained sub-commissioners under the Trinity House in London. (Compulsory.)
Newport	The same. (Ditto.)
Neath	The same. (Ditto.)
Bridgwater	The same. (Ditto.)
Port Talbot	Compulsory Act, 4 Will. 4.
Llanelly	A Compulsory Act, 21 & 22 Vict.
Swansea	A Compulsory Act, 17 & 18 Vict.
Porthcawl	A Compulsory Act, 6 Geo. 4.

"In 1861, the year to which, for present purposes, it is necessary specially to advert, the ports of Gloucester and Newport (Monmouthshire), which had down to that year possessed compulsory local pilotage systems of their own, combined together and with Cardiff, to throw off the Bristol yoke, the first and second as regarded the general Channel pilotage of ships proceeding to or from those ports, and the third as regarded local as well as Channel pilotage.

"The result was, that under the Bristol Channel Pilotage Act of 1861, ships navigating the Bristol Channel, and bound to or from a port other than Bristol, became free of Pill pilots, so far as Channel pilotage was concerned, and in the three ports last named, voluntary local pilotage was established. In other ports of the Channel, compulsory local pilotage was continued.

"At the present moment, the only ships required by law to take a Channel pilot when navigating the Bristol Channel, are ships bound to or from Bristol; and, as regards local pilotage, the compulsory system is retained at—

Bristol.	Swansea.
Bridgwater.	Neath.
Llanelly.	Port Talbot (formerly Aberavon).

whilst the voluntary system is established at—

Cardiff, including Penarth.	Newport, Mon.
Gloucester.	Porthcawl.

"Not only was pilotage to and from Newport, Cardiff, and Gloucester, made voluntary by the Act of 1861, but these ports were enabled to license their own pilots for the Channel, certain reservations being made in favour of the then existing Pill pilots.

"Although a ship navigating the Bristol Channel, unless bound to or from Bristol, is not required by law to take a pilot, still, if a pilot is employed at all, he must be a licensed pilot; and a licensed pilot can always supersede an unlicensed man, and claim pilotage money from the ship.

"The gross sum spent by the shipowners in pilotage of vessels to and from the Bristol Channel ports, was in 1860, 41,308 *l.* 8 *s.*, and in 1868, 47,219 *l.* 7 *s.* 10½ *d.*, showing an increase of payments on the part of the shipowners of 5,919 *l.* 19 *s.* 10½ *d.* under the new system. As regards the distribution of this money, the following is the result, as shown by the Parliamentary Returns:—

	1868.				1860.			
		£.	*s.*	*d.*		£.	*s.*	*d.*
Bristol	compulsory	10,349	17	8	compulsory	19,560	7	5
Cardiff	voluntary	15,074	1	9	ditto	6,084	8	3
Gloucester	ditto	4,707	13	–	ditto	2,891	10	5
Newport	ditto	4,966	11	–	ditto	2,062	19	7
Bridgwater	compulsory	719	9	8½	ditto	802	10	3
Llanelly	ditto	3,322	14	5	ditto	3,876	19	11
Swansea	ditto	5,601	2	3	ditto	4,091	10	7
Neath	ditto	1,926	5	7	ditto	1,766	15	1

At

"At Cardiff, Gloucester, and Newport, the number of pilots has been augmented as follows:

	Number of Pilots in 1860.	Number of Pilots in 1868.
Cardiff	Channel - - - 0 Port - - - - 43	Channel - - - 54 Port - - - - 32
Gloucester	Channel - - - 0 Port - - - - 18	Channel - - - 19 Port - - - - 20
Newport	Port and Channel - - 20	Port and Channel - - 28

"At Bristol, the pilots have suffered; their numbers have fallen from 78 pilots and 19 apprentices in 1860, to 66 pilots without an apprentice in 1868.

"It must, however, be borne in mind, that this increase at Cardiff, Newport, and Gloucester, and falling off at Bristol, is not due to the retention by Bristol of the compulsory system, but is to be accounted for by the pilotage work finding its proper level, and so leaving the pilots at one port, and falling to the share of pilots at other ports, as soon as the Bristol monopoly was broken down.

"As regards the earnings of the pilots individually.

"The average net sum paid to pilots per man in 1860 and 1868, is as follows:—Each pilot keeps his own earnings, subject to deductions on account of maintenance of boat fund, &c.

	1860.	1868.	Increase.	Decrease.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bristol	152 4 –	89 – –	- -	63 4 –
Cardiff	- -	*163 12 5	—	—
Gloucester	155 – –	223 12 –	68 12 –	—
Llanelly	75 7 6	66 1 6	- -	9 6 –
Newport	80 – –	130 – –	50 – –	—
Swansea	95 10 –	83 5 –	- -	12 5 –
Bridgwater	50 –	—	—	—
Neath	52 – –	54 – –	2 – –	—

"The highest sums earned by any one pilot in 1860 and 1868 are as follows, viz.:—

	1860.	1868.	Increase.	Decrease.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bristol	388 3 6	306 13	- -	81 10 3
Cardiff	- -	446 14 3	—	—
Gloucester	249 7 6	330 6 3	80 19 3	—
Llanelly	115 15 4	92 9 1	- -	23 6 3
Newport	130 – –	254 – –	124 – –	—
Swansea	150 – –	155 – –	5 – –	—
Bridgwater	87 9 6	—	—	—
Neath	74 – –	82 10 4	8 10 4	—

"These sums are liable to great reductions in some cases, including insurance, wages, and victualling of boats' crews, and wear and tear of boat.

"In addition to the above facts it is proved that the change made in 1861 has proved perfectly satisfactory to the shipowners and pilots of Cardiff, Newport, and Gloucester; that the

* It is right to point out that the average net earnings of a Cardiff pilot proper exceed this sum. The sum of 163 *l.* 12 *s.* 5 *d.*, is estimated on the whole number of Cardiff pilots, including the 14 Pill pilots, who held supplemental licenses for Cardiff. To give the real earnings of a Cardiff pilot, the 14 supplementary Pill pilots should be omitted, as well as their earnings; and as their aggregate gross earnings from Cardiff only amounted to 336 *l.* 4 *s.* 6 *d.* in the year, out of the 15,074 *l.* 1 *s.* 9 *d.* earned at Cardiff, a large sum is left to be divided amongst the Cardiff pilots.

the shipowner is better served at lower rates than he was under the old system, whilst the pilot is better paid. If the compulsory system had continued, there would have been a still larger sum spent on pilotage than has been actually spent; but it would have been money wasted. It would have been loss to the shipowner, and probably no gain to the individual pilots. Under the voluntary system, the service has been what was required, and no more.

"The Bristol pilots have suffered, because their business has been in part transferred to the pilots of Newport, Cardiff, and Gloucester. But it has been shown by your Committee that the effect of this has been to make their course far out, even as far as Falmouth and Cork, in search of inward-bound ships, especially foreigners. And as there are no fixed rates to the westward of Lundy, your Committee have not been able to ascertain whether the money earned for this outside pilotage is or is not included in the above returns. If it is, the Bristol pilots have suffered less than would appear from the above returns. And, at any rate, they have been induced by the change of 1861, to offer their services to vessels which want them, instead of forcing themselves on vessels which do not.

"It has been further proved to your Committee, that the feeling at Bristol is in favour of making the pilotage on Bristol trade voluntary, at any rate as far up as the Holms, and probably as far as Kingroad. And at Swansea, the feeling is in favour of making it voluntary, except from the Mumbles into the docks. As regards the Avon, from Kingroad to Bristol, and the pilotage into Swansea Docks, the local opinion is in favour of retaining compulsory pilotage, not for the safety of the ship, or the maintenance of pilots, but as a matter of harbour regulation. Considering, however, that all coasters are now free from pilotage in the Avon, and cause no accidents, that the masters of steamers are also licensed, that in the somewhat similar case of the Severn, from Sharpness upwards, where pilotage is voluntary, no vessel goes without a pilot, and that in the upper waters of the Thames, as above stated, pilots or skilled watermen are invariably and voluntarily employed, your Committee can have no doubt that, in the Avon and at Swansea, masters who do not know the river will of their own accord always employ pilots.

Doyle, 8585 *et seq.* 8645. 6597. 8652. Farrer, 165. 8600 *et seq.* 11034 *et seq.*

"Your Committee have also received evidence from Dublin. At Dublin pilotage is compulsory on all vessels entering Kingstown or Dublin, except coasters under 50 tons. There are 40 pilots, who cruise in 12 cutters, which are maintained by the Port Board out of their earnings Three-fourths of the pilots' earnings come from these coasters, who complain loudly of having to employ them. The pilot above referred to also states that, in consequence of the shifting banks, the currents and the fogs, the dangers of the Dublin pilotage are very great. This evidence, however, is contradicted entirely by Captain Reynolds, who has frequented the port without a pilot for years. From the evidence of Mr. Watson, a member of the Port Board, it appears that that Board, which is a representative body, determined not to petition against the Bill, but only in favour of more speedy compensation. The experience of Dublin, as given by this witness, is interesting. It appears that immediately after the passing of the Act of 1849, the Ballast Board, who were then the pilotage authority of the port, agreed to exempt coasting steamers, on condition of their paying 150 *l.* a year for 10 years to the pilot fund. They now examine and license masters and mates freely; and in 1869 there were 34 licensed. In 1849 the revenue from pilotage was 6,356 *l.* In 1851, in consequence of the exemption of coasting steamers, it had fallen to 4,730 *l.*, and the fall of the pilotage establishment was prophesied. But by 1869, it had risen to 7,032 *l.*

Watson, 10690. App. A., No. 21. Watson, 10724.

"It is obvious to your Committee that the only question at Dublin is the question of compensation.

Macfaren, 9759 *et seq.* Cochrane, 9804.

"Your Committee have had evidence from two shipowners at Belfast to the effect that compulsory pilotage is unnecessary in the Lough, but is necessary in the river, which is a channel three miles long and 70 yards wide, in order to prevent collisions, and blocking up of the Channel. To the same effect is the evidence of Benson, a pilot.

Reynolds, 11042 *et seq.*

"On the other hand, Captain Reynolds, of the City of Dublin Company, who has traded in and out of it for seven years, has stated that the pilotage is perfectly easy, that compulsory pilotage is quite unnecessary, and a great hardship on coasters.

"No evidence has been received from any of the authorities at Belfast.

"Though your Committee have been ready to receive any evidence against the Bill from other ports they have received none. And they have thought it unnecessary to call for evidence from ports where pilotage is voluntary, since it is notorious that the shipowners of those ports are not only entirely satisfied with the voluntary system in their own ports, but are decidedly in favour of the abolition in other ports, in which, as their ships frequent those ports, they have, of course, a strong interest. Nor has there been any attempt to produce evidence from any quarter to the effect either that the pilotage service in voluntary districts is inefficient, or that life and property are less safe in those districts, or that vessels which need pilots in those districts neglect or refuse to do so.

"As regards the feeling of the ports on the north-eastern coast, your Committee desire to refer to the Report of Mr. Lindsay's Committee on Merchant Shipping in 1860, xx to xxii, and to the evidence given before that Committee, especially that of Mr. Hudson from the Tyne and Mr. Potts from Sunderland, expressing the views of the shipowners at those ports.

"Your Committee conclude, therefore, by stating what appears to them to be the general effect of the opinions and arguments laid before them.

"1. The present system is anomalous to the last degree, both in the extent to which compulsory pilotage is carried, and in its exemptions. But, except from Liverpool, no evidence

evidence of the least importance has been laid before your Committee in favour of doing away with these anomalies by extending the compulsion or diminishing the exemptions.

"2. The exemptions have been largely extended by recent legislation, and, except that they have increased the anomalies, have given complete satisfaction. Nor has any attempt been made to show that this great increase of exemptions has been attended by any increase of loss or danger. To attempt to diminish the exemptions would cause an amount of opposition and dissatisfacton which it would be impossible to overcome.

"3. The opinion in favour of freedom in pilotage has, in recent years, gained greatly in strength. In London, where 20 years ago all the large shipowners were in favour compulsion, there is now an almost unanimous feeling against it. And in Liverpool, where there is still a large majority of sailing-ship owners in favour of compulsion, there is a minority against it, whilst the great and growing steamship interest are, almost to a man, against the obligation.

"4. Even amongst the pilots themselves there are many who see that the real interest of the abler and more energetic is better served by a system which enables them to make the most of their own services, than by one which, whilst securing them employment, deprives them of special reward for superior service.

"5. This change of opinion is, in a great measure, due to the increase in steam shipping. These ships arrive and depart with regularity and navigate pilotage waters with speed and certainty. Where the voyages are short, the officers themselves become excellent pilots; and where they still employ pilots the pilotage is comparatively short.

"6. It is also due to the changed views of the shipowners on the subject of immunity from liability, and to their sense of the evil of the present legal relation between a captain and a compulsory pilot.

"7. The above change of opinion does not imply that pilots are less needed or will be less employed than before. On the contrary, every shipowner and ship captain who has given evidence, except in the case of steamers and small coasters making very short voyages, has expressed his own wish to employ pilots, and his opinion that all other prudent owners and captains will employ them. If less time is occupied in pilotage, and fewer pilots are required, it is due to the rapidity with which the pilotage service is performed.

"8. The strongest evidence has been given that steam tugs are no substitutes for pilots, and that a pilot is as much needed with a steam tug as without.

"9. Many witnesses who have supported the present Bill are in favour of a much larger measure of freedom than the Bill provides. Some of them desire that all restrictions on the numbers of licensed pilots should be removed; that pilots should be at liberty to cruise in search of ships where they find it most profitable to do so; and some of the evidence points to the expediency of free bargains with the pilots as to rates, at any rate in inland waters and in outward pilotage. But these witnesses look upon the abolition of compulsory employment as the first and necessary step towards other improvements in the system."

Such being the general effect of the views presented to your Committee, they proceed to consider the arguments by which the advocates of compulsory pilotage support its continuance.

The reasons alleged are as follows:—

"1. That it is necessary, in order to maintain a competent supply of pilots.

"A practical answer to this reason seems to be, that in those ports of this country where pilotage is voluntary, the supply of pilots is as good as where it is compulsory; at Cork as at Falmouth, at Newcastle as at Liverpool, on the north as on the south side of the Thames. Indeed, in the case of the Thames, it appears that the supply of pilots would be wholly insufficient for the work, if it were not that the licensed and compulsory pilots were supplemented by a large and very efficient class of unlicensed volunteers. And in the Mersey, on the other hand, under a strictly compulsory system, the supply of licensed pilots is so much too large, that the authorities are obliged to reduce the number in order to provide adequate employment and payment for those that remain. In fact, where pilots are really wanted, they are as much employed and paid under a voluntary as under a compulsory system; it may be said that, if this is the case, there is no hardship on the shipowner in compelling him to employ a pilot. But there is this great difference: if the employment is voluntary, the pilot must be efficient in order to obtain it; and if he is efficient, he is likely to be employed. If the employment is compulsory, there is no effectual security for his efficiency. And there is the further great difference, that in the former case the responsibility rests with the employer, in the latter with the Government, Legislature, or pilotage authority; in other words, with nobody.

Evidence to Committee of 1860.

"2. That it is necessary for the protection of the ship, its crew, its passengers, and cargo.

"In answer to this reason, your Committee would observe, that it is no part of the business of Government to take a ship out of the hands of those most interested in her safety; and that merchants, shipowners, and insurers are much better judges of what they need than Government can be. So far as life is concerned, upon which considerable stress has been laid, it has been shown to your Committee that coasting passenger steamers, which probably carry more human lives than any other class of vessels, have been practically exempted from compulsory pilotage, both at Liverpool and on the Thames; and that either for the interest of the owner, under the present law of liability, or for other reasons, these steamers have always been navigated by very competent persons, and have been peculiarly free from the accidents incident to difficult pilotage.

"3. That it is necessary to place every ship in the hands of a pilot on entering a port, in order to prevent confusion, and risk to other ships in the port.

"This, however, is a matter not of pilotage, but of port regulation, and is generally so regarded. In the Thames, where a very large proportion of the ships which navigate the river are free from compulsory pilotage, every ship employs a competent pilot, licensed or unlicensed, and no difficulty is experienced.

"4. That without the obligation arising out of a strict service, out of stringent regulations, and out of a corresponding obligation on the part of the ship to employ a pilot, the pilots will not feel themselves morally bound to give willing and efficient service.

"Your Committee would scarcely have thought it necessary to notice this reason, if it had not been advanced by most respectable witnesses from Liverpool. If evidence were needed to show that the general principles of human conduct are applicable to pilotage, and that in pilotage as in other matters of business, self-interest and competion are more efficient stimulants than rules and discipline, such evidence is supplied in abundance by the cases in which pilotage service is voluntary.

"5. That the step taken by the Bill is one-sided and incomplete; that it retains a fixed price; a licensed corps; limited numbers; stringent regulations as to cruising, and obligations on the pilots to accept an offered service. And that in these respects it is unfair on the pilot; whilst it fails to give either party the benefit of complete freedom.

"It will be seen from previous remarks that your Committee have been led to the conclusion that the present Bill may in many districts lead to further steps in the direction of freedom.

"But for this the pilotage authorities have ample powers; and in the meantime there is nothing unreasonable in imposing on a body of men who, by obtaining licenses, will still have a monopoly of a necessary employment, such restrictions and regulations as may be found necessary.

"But whatever further steps may be hereafter found necessary, your Committee are satisfied that the first essential step is the abolition of the obligation to employ a pilot. When the shipowner is at liberty to employ a pilot or not, according as he finds him useful, he will have the means by which he can in time compel all other improvements which may be needed.

"The present Bill will place matters in districts in which pilotage is non-compulsory in the same position in which matters are when pilotage is voluntary, and will leave it in the hands of the pilotage authorities to make such further changes (if any) as may be found necessary.

"6. That if further improvements are to be left to the pilotage authorities, the abolition or retention of compulsory pilotage may also be left to them, especially when these authorities are elected and representative boards.

"Your Committee are of opinion that the case does not admit of the delay which this objection would involve. Local authorities do not always, or generally, represent the more advanced opinions and wants of the trade; and in the present instance it is very doubtful whether they represent fully the growing steam trade; nor do the pilotage authorities of a port necessarily represent the ships which trade to a port. And there is no doubt a tendency in all governing bodies and their officers to become strongly attached to systems which they have administered.

"Moreover, in the present case the proposed change in the law is one of such general application, and involving such important consequences, not only to the port itself, but to the strangers who come to it, as to render it especially undesirable to leave it to the caprices of local legislation. With the law of liability, for instance, no authority short of the Imperial Parliament can properly deal. And, finally, in the opinion of your Committee, no case has been made out for special and exceptional legislation. When the difficulties of pilotage are great, the demand for pilots, and the consequent supply of pilots, is great in proportion.

"On the other hand, the following objections to the practice of compelling ships to employ pilots, are as follows:

"1. It is unjust, for it obliges many ships that do not require pilots, to pay for keeping up a staff for those who do.

"2. The system tends to create and maintain a body of protected monopolists, whose interests are not identical with those of the shipowner, who know that they must be employed, and whose independent services are probably not so readily or so effectively given as if their employment depended on their efficiency.

"3. A further

"3. A further and very serious objection is to be found in the consequence as regards liability, which has been so fully stated above.

"The liability of the owner and his servants is put an end to, and the security against mismanagement arising from this liability is seriously diminished, whilst persons sustaining damage by collision are deprived of their remedy.

"4. The captain and his officers, from their general knowledge, and their acquaintance with their ship and crew, are better able to manage her, even in pilotage waters, than a pilot to whom the vessel is strange. To compel the former to give up charge to the latter leads to disaster.

"The two last objections are fully admitted by most of the advocates of compulsory pilotage. And some of them, whilst advocating the retention of compulsory pilotage, still propose that the pilot shall not be allowed to interfere with, but shall only advise, the captain; and that the shipowner shall be liable for the acts of the pilot.

"It is obvious, however, that any attempt to carry this proposal into effect would be met by very serious opposition from the great body of shipowners. The legal principles on which the present law is founded, viz., that a man is liable for the acts of those whom he voluntary employs, but not for the acts of those whom he is compelled to employ, appears to your Committee to be in itself just and reasonable. And if, for the sake of remedying a practical inconvenience, this principle is departed from, it is probable that further anomalies and inconveniences will be the result. Nor is it likely that the captain and the pilot will ever assume their proper relative positions so long as the former is compelled to employ the latter.

"Your Committee are therefore of opinion that the immunity from liability must stand or fall with the legal obligation to employ a pilot."

SPECIAL REPORT proposed by Mr. *Graves* brought up, and read first time, as follows:—

"YOUR Committee have taken evidence and considered the several petitions which were referred to them. It appears that of 35 petitions only three are in favour of the Bill; of the remaining petitions, which are from merchants, shipowners, and mercantile bodies, from pilotage authorities, from pilots and officers connected with pilotage establishments, and from freemen of the Waterman's Company in the Thames, 23 are against the passing of the Bill, with alternative claims in several cases for compensation.

"Many of the petitions against the Bill allege that the proposed change in the law of pilotage would seriously increase the risk to life and property.

"So far, therefore, as any inference can be drawn from the petitions, it appears that the feeling of pilotage authorities, of merchants and shipowners, and of pilots, is decidedly adverse to the proposed alteration of the law.

"The Committee were occupied during 20 days hearing evidence which was tendered to them.

"Witnesses were examined in relation to the pilotage systems in operation in the Thames, the Mersey, the Clyde, the Bristol Channel, the Severn, the Avon, the Humber, the Tyne; and at Dublin, Queenstown, Falmouth, Southampton, Belfast, and other places; also as to the practical working of those systems, and the effect likely to arise from making the employment of pilots voluntary instead of compulsory. Evidence was also given as to the expediency of the propssed change in the law, by steam and sailing shipowners of London, Liverpool, Hull, Bristol, and other ports, and by witnesses representing marine insurance companies in London and Liverpool.

"Without entering into a detailed analysis of this evidence, which is appended to the Report, the general result may be stated as follows:—

"The marine insurance companies and the Liverpool Underwriters Association, and the pilotage authorities who were represented before the Committee, are opposed to the proposed change, as affecting their respective ports. The committee of the association of sailing shipowners of London, so far as respresented at the meeting convened to consider the Bill, are in favour of it; whilst the sailing shipowners of Liverpool appear to be almost unanimously opposed to it. As regards the steam trade, that of London, the coasting steam trade throughout the kingdom, and a majority of the steam trade at Liverpool, comprising the Inman and Bibby Lines are in favour of the Bill; whilst an important section of the Liverpool steam trade, including the Cunard Company and other large steam shipowners, are very strongly opposed to the abolition of the present system of pilotage at Liverpool. In the Clyde, the Humber, the Avon, and at Swansea, the great preponderance of opinion is in favour of maintaining a compulsory system of pilotage.

"The Deputy Master of the Trinity House, Sir F. Arrow, stated that his private opinion was in favour of the Bill, but he said emphatically that he was not authorised to express the opinions of the Elder Brethren of the Trinity House; and he informed the Committee that the question had not been discussed by them since 1862, when they expressed their opinion that compulsory pilotage should be maintained. It is to be regretted, looking at the extensive control over pilotage exercised by the Trinity House, that the more recent opinions of the pilotage committee of that corporation were not placed in evidence before the Committee.

"Compulsory pilotage now prevails at Bristol, at Liverpool, in the Clyde, in the Humber, at Dublin, Belfast, in all the principal Irish, and in most of the Scotch ports.

"It also prevails at all places within the jurisdiction of the Trinity House of London, which extends, with few exceptions, over all the ports on the east coast south of the Humber, on the south coast in the English Channel, and on the west coast as far to the northward as Holyhead.

"In the Tyne, at Cardiff, Gloucester and Newport, at Leith and at Queenstown, pilotage is voluntary.

"From this summary it will be seen that the navigation of the great majority of British ports is now conducted under a compulsory system of pilotage, the compulsion consisting in an obligation to pay some amount of money, varying at different ports from the ordinary rate of pilotage, to very heavy penalties, as the alternative to employing a licensed pilot who tenders his services.

"The compulsory system of pilotage now in operation has been recognised and confirmed by various statutes in relation to merchant shipping. The 353rd section of the Act of 1854, which is still in force, expressly declares that the employment of pilots shall continue to be compulsory in all districts in which it was by law compul-ory before the passing of that Act.

"The same Act for the first time affirmed, in express terms, a rule which had previously depended on judicial decisions: viz., that owners and masters of vessels should not be liable for loss or damage occasioned by the fault or incapacity of any qualified pilot acting in charge of a vessel within any district where the employment of such pilot is compulsory by law.

"Compulsory pilotage is not peculiar to this country. It was proved before the Committee that it prevails in the United States, and in France, Holland, Belgium, and the North German Confederation.

"It is important to notice here, that in all compulsory pilotage districts certain classes of vessels have been exempted from the obligation to employ or pay for pilots.

"These exemptions (in which Mr. T. H. Farrer, in his Memorandum on Compulsory Pilotage, dated 23rd February 1870, remarks that "there is no sense or principle") vary in different districts, but, as a rule, they appear to have been introduced in favour of vessels which, from their small draft of water, or from their frequent arrival and departure at the port, were supposed not to stand in need of pilotage services.

"In 1848 provision was made, for the first time, by the 12 & 13 Vict. c. 88, for the granting by pilotage authorities to masters and mates of vessels, of licenses to enable them to pilot their own vessels. This provision was continued and enlarged by subsequent Acts; and by the Merchant Shipping Act, 1854, which is still in force, the Board of Trade are authorised to grant certificates to masters and mates in cases where they may consider that any local pilotage authority has unreasonably withheld a license; they are also empowered, irrespective of, and without any prior application to the local pilotage authority, to grant pilotage certificates to masters and mates of home trade passenger ships, which, unless they have a master or mate holding a pilotage certificate, were by the same Act compelled, under a penalty not exceeding 100 *l.*, to employ a licensed pilot.

"Thus it will be seen that under the law as it now stands, many vessels are absolutely exempt from pilotage; and that all vessels, without exception, British as well as foreign, may avoid compulsory pilotage if placed in the hands of officers qualified to obtain from the local authority or from the Board of Trade a pilotage certificate.

"The Committee are of opinion that the evidence proves conclusively that the system of compulsory pilotage now in force, though capable of improvements in details, fulfils in a very high degree that which is admittedly its principal object, viz., the preservation of life and property from the dangers attendant on the navigation of the entrances to the various ports throughout the kingdom.

"It has been proved that in the Mersey, the Humber, the Avon, the Clyde, at Swansea, and all the principal outports where the compulsory system prevails, there are to be found at all times, and under every condition of weather, a sufficient number of licensed pilots well qualified for their duties, provided with boats thoroughly fitted for the service, and working under systems adapted to the circumstances of the locality.

"It has also been proved that an efficient system of pilotage is maintained on the voluntary principle at Gloucester, and it has been stated that the system works satisfactorily in the Tyne, at Cardiff, Newport, and Queenstown; but at all the latter places the navigation is apparently free from difficulty or danger. It is, however, to be remarked, that no local evidence was tendered to the Committee as to the working of the voluntary system at any of these ports, Gloucester excepted; and, consequently, the Committee are not in a position to express any opinion as to the efficiency or otherwise of the voluntary system. From none of these ports, however, has any evidence been tendered to the Committee.

"In the Thames, although there are many efficient pilots, it appears that the Trinity House has not licensed a sufficient number of pilots to meet the requirements of the port. This circumstance, combined with the existence of several classes of pilots, licensed for different distances, and for various purposes, has produced confusion and irregularity, and has led to the general employment as pilots of licensed watermen who have passed no examination to test their competency, and who are not under the control of any pilotage authority.

"This unsatisfactory condition of the Thames pilotage system may, perhaps, to some extent

extent explain the different views as to the present Bill entertained by the shipowners of London and those of Liverpool, to which we have previously referred.

"However this may be, the evidence certainly points to the propriety of the pilotage of the Thames being reorganised by a properly constituted pilotage authority for London, in the appointment of which the merchants and shipowners of London should have direct representation, and which should, subject to the supervision of the Board of Trade, be entrusted with the entire control of the pilotage affairs of the London district.

"As regards the main principle of the Bill, viz., the entire abolition of all legal obligation wherever it now exists to employ pilots, the Committee do not feel justified, in a matter so deeply affecting life and property, in recommending the adoption of an immediate and complete reversal of the system now prevailing in nearly every large port of the United Kingdom in opposition to the judgment of the pilotage authorities; especially as that system has been found to work well in practice, and to be adapted to the varying physical circumstances of the navigation, and to the local requirements of trade.

"The dangers and difficulties of access to ports differ widely both in degree and kind.

"In same places, such as the Tyne, Cardiff, Leith, Queenstown, Falmouth, the outer waters of the Bristol Channel, and other places easy of approach, voluntary pilotage may be found to work well; but there are other places where the natural difficulties are so great as, in the opinion of the Committee to render it highly inexpedient to make a change which undoubtedly tends to diminish the employment of skilful pilots, and thereby to increase the perils of navigarion.

"From the evidence of the shipowners who supported the Bill, it may be inferred that they are actuated by two distinct motives. With some the object is the saving of expense by not employing pilots; with others there seems to be a desire to be able to select pilots of their own choice.

"If, as the Committee believe, the result of the Bill would be to lessen the employment of pilots, the risk of loss to life and property would, it is to be feared, be very seriously increased, for it was shown that out of 20 vessels totally lost at or near Liverpool in 1869, only one was in charge of a pilot, the others being small vessels, flats, and schooners, without pilots. The principle of selection of pilots, in the case of the great majority of inward-bound vessels, was shown to be impracticable; whilst as regards outward-bound vessels, it appears to be already acted upon to some extent, and it could probably, if desired by shipowners, be carried still further.

"Another objection to the introduction of voluntary pilotage in difficult navigation is that it would lead to the employment of unqualified persons who would undertake to pilot vessels at lower rates than those necessarily charged by licensed pilots. This is obviously a source of danger which it would be extremely difficult to guard against.

"Another and a very serious objection to the sweeping and immediate abolition of compulsory pilotage proposed by the Bill, is that it must necessarily involve very large claims for compensation from pilots, boatowners, and others, whose interests would be affected by the change, and whose claims could not in justice be disregarded.

"The compensation clauses in the present Bill, which were generally considered to be inadequate and unsatisfactory, relate only to the claims of pilots; the claims of pilot boatowners and others who would be affected, and which must assuredly be recognised and dealt with, should the Bill pass in its present form, are wholly ignored.

"The Committee feel that whilst no consideration of this nature should be allowed to stand in the way of any change really necessary in the interest of commerce and navigation it may well influence the policy of legislation when the change proposed which is directly opposed to the provisions of the Merchant Shipping Bills of the present and last Session certainly cannot be said to be necessary, and is at best of questionable expediency.

"On a consideration then of all the circumstances, it is the opinion of the Committee that the system of pilotage to be adopted at any given port, should not be fixed by an arbitrary and inflexible law such as is proposed by the Bill; but that it should be left to the decision of local pilotage authorities, constituted in a manner to be approved by the Board of Trade, and so as to represent the trade and commerce of the district.

"Local authorities thus constituted would have the highest interest in rendering the access to their ports safe, easy, and economical, and they might be relied upon to maintain in their districts efficient and well disciplined bodies of pilots.

"Changes from a compulsory to a voluntary system originated by local authorities would, no doubt, involve questions of compensation from the public funds to pilots, boatowners, and others, for which it would be necessary to make provision; but it is probable that changes so made would be introduced gradually and under circumstances which would give rise to small claims for compensation as compared with those which must at once be dealt with if the Bill be passed.

"In view of the possibility of such changes, it would be necessary to give to pilotage authorities ample powers to readjust, and, if necessary, to increase or modify their rates, as to particular classes of vessels; to alter the incidence and the principle on which they are levied; to take over boats and other property; to settle questions of compensation, subject to the approval of the Board of Trade, and to deal with all other matters which might arise on a change from a compulsory to a voluntary system.

"Where no such local authority now exists, it would be necessary to allow time for its formation. Should this not be done within 12 months after the passing of the Act, it might be left to the Trinity House to exercise the discretionary powers at such port.

"The Committee think it right to add, though not called upon to express any opinion on the subject, that a great amount of evidence was submitted to them in favour of abolishing the exemption of owners from liability for the negligence of pilots, and they would suggest that the law on that subject should be reconsidered. If it were thought expedient to do away with this exemption the Committee consider that the retention of compulsory pilotage would not necessarily interfere with such an alteration of the law. It was shown that, although compulsory pilotage prevails in America, and in almost all the maritime countries of Europe, there is no country, except the North German States, where the law relieves the owner from liability for the pilot's acts.

"If this view be adopted, provision should be made that the refusal to take a pilot shall not involve any fine or penalty beyond the payment of a fair contribution to the pilotage fund, not exceeding in any case the regular pilotage rate.

"The shipowner would thus have the opportunity of getting the benefit of an efficient pilotage establishment, and the pilot, instead of taking command of the vessel, as he too frequently does under the present law, would confine himself to his proper function of supplying to the officer in charge of the ship, all information as to channels, tides, lights, marks, depth of water, &c., requisite for the safe navigation of the vessel through pilotage waters.

"In conclusion, the Committee recommend that the Bill should be amended, so as to carry out the views in regard to pilotage stated in this Report."

Motion made, and Question proposed, That the Special Report proposed by the Chairman be now read a second time, and considered, paragraph by paragraph.—Amendment proposed to leave out the words "The Chairman" in order to insert the words "Mr. Graves"—(Mr. *Graves*)—instead thereof.—Question put, That the words "The Chairman" stand part of the Question.—The Committee divided:

Ayes, 7.	Noes, 7.
Mr. Grieve.	Sir J. Hay.
Mr. Gowley.	Mr. Hardy.
Sir C. Wingfield.	Mr. Turner.
Mr. Stevenson.	Colonel Bourne.
Mr. Price.	Mr. Graves.
Mr. Wykeham Martin.	Mr. Pemberton.
Mr. Norwood.	Mr. Malcolm.

Whereupon the Chairman declared himself with the Ayes.

Main Question put, and *agreed to*.

Bill, as amended, to be Reported.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 8th July 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Mr. Turner.	Mr. Hardy.
Sir C. Wingfield.	Mr. Stevenson.
Mr. Grieve.	Mr. Gowley.
Mr. Graves.	Mr. Brassey.
Mr. Norwood.	Mr. Cave.
Mr. Price.	Mr. Pemberton.

Proposed Special Report considered, paragraph by paragraph.—Amendments made.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 12*th July* 1870.

MEMBERS PRESENT:

Mr. Shaw Lefevre in the Chair.

Sir C. Wingfield.	Mr. Gourley.
Mr. Grieve.	Colonel Bourne.
Sir John Hay.	Mr. Stevenson.
Mr. Graves.	Mr. Cave.
Mr. Brassey.	Mr. Norwood.
Mr. Turner.	

Special Report further considered.—Amendments made.

Page 23, paragraph 7.—Motion made, and questioned proposed,—"That Paragraph 7 stand part of proposed Report."—The Committee divided.

Ayes, 6.	Noes, 4.
Mr. Grieve.	Mr. Turner.
Sir C. Wingfield.	Mr. Graves.
Mr. Stevenson.	Sir John Hay.
Mr. Gourley.	Colonel Bourne.
Mr. Brassey.	
Mr. Cave.	

Further Amendments made.

Question: "That this be the Special Report of the Committee to the House,"—put, and *agreed to.*

Ordered, To Report.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	Total Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
William Brown Clegram.	Civil engineer -	Gloucester -	2	3 10 –	6 6 –	9 16 –
Thomas Ford - -	Captain (Merchant Service).	Swansea -	3	4 9 6	3 3 –	7 12 6
John Rosser - -	Captain (Merchant Service).	Swansea -	3	4 9 6	3 3 –	7 12 6
William Webb - -	Pilot - -	Yarmouth -	2	1 6 6	1 – –	2 6 6
James Doyle - -	Pilot - -	Kingstown -	3	4 6 –	1 10 –	5 16 –
Robert Macfarren -	Shipowner -	Belfast - -	4	2 18 6	4 4 –	7 2 6
James Cochren - -	Shipowner -	Belfast - -	4	2 18 6	4 4 –	7 2 6
Patrick Benson -	Pilot - -	Belfast - -	4	3 2 6	2 2 –	5 4 6
John Marwood -	Shipowner -	Liverpool -	2	3 – –	2 2 –	5 2 –
Henry Jones - -	Pilot - -	Liverpool -	2	3 – –	1 – –	4 – –
John T. Bouch - -	Shipowner -	Liverpool -	2	3 – –	2 2 –	5 2 –
Thomas Reynolds -	Captain (Merchant Service).	Liverpool -	2	3 – –	2 2 –	5 2 –
Robert Chaddock -	Captain (Shipowner).	Liverpool -	2	3 – –	2 2 –	5 2 –
T. C. Becket - -	Pilot - -	Liverpool -	2	3 – –	1 1 –	4 1 –
Robert Lee - -	Pilot - -	Greenock -	2	2 10 –	1 1 –	3 11 –
William Adams -	Pilot - -	Greenock -	2	6 – –	1 1 –	7 1 –
Matthew Irvin - -	Pilot - -	Greenock -	2	6 – –	1 1 –	7 1 –
Howard Fox - -	Merchant -	Falmouth -	3	6 2 6	3 3 –	9 5 6
Henri Josse - -	Merchant -	Great Grimsby	3	3 5 –	3 3 –	6 8 –
Thomas Oates - -	Shipbroker -	Great Grimsby	3	3 5 –	3 3 –	6 8 –
George H. Evans -	Steam Packet Agent.	Bristol - -	2	2 10 –	2 2 –	4 12 –
James Johnson -	Master (Royal Navy).	Milford Haven	4	3 – –	4 4 –	7 4 –
J. B. Millen - -	Pilot - -	Deal - -	2	1 16 –	1 – –	2 16 –
Thomas Ralph - -	Pilot - -	Deal - -	2	1 16 –	1 – –	2 16 –
Thomas Mallet - -	Pilot - -	Dover - -	2	1 16 –	1 – –	2 16 –
R. S. Triphook -	Commander (Merchant Service).	Kingston -	3	5 6 –	3 3 –	8 9 –
					Total - - £.	149 9 6

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

PAGE

Tuesday, 22nd March 1870.

Mr. Thomas Henry Farrer - - 1

Friday, 25th March 1870.

Mr. Thomas Henry Farrer - - 28

Friday, 1st April 1870.

Mr. Thomas Henry Farrer - - 54

Tuesday, 5th April 1870.

Mr. William Brown Clegram - - 74
Captain Sir Frederick Arrow, Knt. - 85

Friday, 8th April 1870.

Captain Sir Frederick Arrow, Knt. - 89

Tuesday, 26th April 1870.

Captain Charles Henry Evans Judkins 118
Mr. Andrew Tucker Squarey - - 133

Wednesday, 27th April 1870.

Mr. Andrew Tucker Squarey - - 142
Captain Graham Hewett Hills, R.N. - 148

Friday, 29th April 1870.

Captain William Ballantine - - 161
Mr. John Towne Danson - - - 167
Mr. Thomas Richard Shallcross - - 181

Tuesday, 3rd May 1870.

Mr. William James Lamport - - 187
Mr. William Miles Moss - - - 201
Mr. Robert Galloway - - - 209

Friday, 6th May 1870.

Mr. Robert Poulton John Simpson, R.N. 214
Admiral George Evans - - - 228
Mr. Henry Bremner - - - - 230

Tuesday, 10th May 1870.

Mr. Angus Turner - - - - 239
Mr. Thomas Henderson - - - 245
Mr. James Allan - - - - 254
Mr. John McKelvie - - - - 259
Mr. Alexander Alexander - - - 261

Wednesday, 11th May 1870.

Mr. Anthony Bannister - - - 265
Mr. Dale Brown - - - - 274
Mr. William Henry Brewis - - 277
Mr. John Lumsden - - - - 282
Mr. John Harvey - - - - 288

Friday, 13th May 1870.

Mr. Anthony Bannister - - - 290
Captain John Drew - - - - 292
Captain John Rosser - - - 304
Mr. Thomas Ford - - - - 311

PAGE

Tuesday, 17th May 1870.

Mr. John B. Millen - - - - 316
Mr. John Capon Mallett - - - 323
Mr. Frederick Augustus Castle - - 330
Mr. Henry Tillman - - - - 333
Mr. Thomas Ralph - - - - 336

Friday, 20th May 1870.

Mr. John Taylor - - - - 339
Mr. Alfred Tozer - - - - 348
Mr. William Barfield - - - 352
Mr. William Daines - - - - 358
Mr. Richard S. Triphook - - - 359
Mr. James Doyle - - - - 360
Mr. William Webb - - - - 362

Tuesday, 24th May 1870.

Mr. Frederick Pattison - - - 364
Mr. William Speeding - - - 371
Mr. George Thomas Hinton - - 376
Mr. George Duncan - - - - 384
Mr. Robert Macfaran - - - 393
Mr. James Cochrane - - - 393

Friday, 27th May 1870.

Mr. Patrick Benson - - - 395
Mr. Frederick Leyland - - - 398
Mr. William Inman - - - - 409
Mr. John Sutton Marwood - - 418
Mr. Henry Jones - - - - 420

Tuesday, 31st May 1870.

Mr. William Watson - - - 426
Mr. John Thompson Bouch - - 433
Captain Thomas Reynolds - - 436

Tuesday, 14th June 1870.

Mr. Alfred Holt - - - - 439
Mr. Henry Owens Johnson - - 446
Mr. Robert Chaddock - - - 448
Mr. Francis Charles Beckett - - 453
Sir Frederick Arrow - - - 461
Mr. Robert Lee - - - - 466
Mr. William Adams - - - - 468
Mr. Matthew Lamont Irvin - - 469

Wednesday, 15th June 1870.

Mr. Howard Fox - - - - 470
Mr. Henry Josse - - - - 472
Mr. Thomas Oates - - - - 475
Captain James Johnson - - - 477
Mr. George Henry Evans - - 479
Mr. William Wood - - - - 483
Mr. Charles Joseph Luton - - 486
Mr. Anthony George Robinson - 491
Mr. Thomas Davies - - - - 497
Mr. Richard Williams - - - 500

MINUTES OF EVIDENCE.

Tuesday, 22nd March 1870.

MEMBERS PRESENT:

Colonel Bourne.	Mr. Malcolm.
Mr. Thomas Brassey.	Mr. Philip Wykeham Martin.
Mr. Cave.	Mr. Norwood.
Mr. Gourley.	Mr. Pemberton.
Mr. Graves.	Mr. William Philip Price.
Mr. Grieve.	Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.	Mr. Stevenson.
Sir John Hay.	Mr. Charles Turner.
Mr. Shaw Lefevre.	Sir Charles Wingfield.

MR. SHAW LEFEVRE, IN THE CHAIR.

Mr. THOMAS HENRY FARRER, called in; and Examined.

1. *Chairman.*] You are the Permanent Secretary of the Board of Trade?—I am.

2. And for many years you were at the head of the Marine Department of that Board?—Yes, since the end of 1850.

3. In that capacity have you had the subject of Compulsory Pilotage before you in different shapes and different places?—Yes, more or less during the greater part of that time.

4. Will you produce to the Committee a map which has been made out by the Board of Trade, showing the districts where compulsory pilotage is in existence, and where voluntary pilotage is now in force?—I will put in this map, but at the same time I should like to caution the Committee against accepting it as being accurate or complete. In the first place, the compulsory pilotage system differs very much in different ports; and in the second place, it is exceedingly difficult to rely upon the returns that are given us; because the persons who make the returns do not understand the questions, and they do not answer them precisely in the same way. We have made this map out as we best can, and it will give some general idea, both of the different jurisdictions and the ports in which pilotage is compulsory. I may mention one case which will illustrate the difficulty of trusting returns. In the Humber, the returns which were made to us, as will be found in the printed Paper lately laid before Parliament, state that there is no compulsion. Now, in one sense, that is true, but in another sense it is exceedingly untrue. The pilotage authorities there examine the masters and mates very freely, who, when they have passed, can navigate their vessels without a pilot; but, on the other hand, for ships whose masters and mates are not examined, a licensed pilot is compulsory. I merely mention that to show the difficulty there is in making any general map or any general return.

Mr. *T. H. Farrer.*

22 March 1870.

5. But so far as possible that map shows the districts where pilotage is compulsory at law under particular private or local Acts, and where it is non-compulsory?—Yes, with this qualification; that in many cases where it is compulsory it is only compulsory upon particular classes of ships or in particular classes of voyages.

6. Mr. *John Stewart Hardy.*] Will you tell us the colours?—Red, orange, brown, and green are compulsory; they are divided into those colours according to the jurisdiction. The Trinity House of London is red; the Trinity House of Hull is orange; the pilotage jurisdiction of Liverpool is brown; and other independent pilotage ports where there is some compulsory pilotage are green. There is another colour, yellow, for Bristol, where it is compulsory; with these other colours it is entirely free.

7. *Chairman.*] At the same time a Return has been laid before Parliament showing the number of pilots in each district, with their average earnings and other details asked for by the Board of Trade?—Yes; and that Return must be taken subject to similar qualifications.

8. Will you state to the Committee the total number of pilots now exercising their craft in compulsory districts, and the number of pilots in non-compulsory districts?—The total number of pilots in ports where pilotage is more or less compulsory is 1,828; the number of pilots in ports where the pilotage is entirely free is 1,066.

9. When you say districts where it is entirely free, you mean that they are still subject to the Pilotage Commissioners, and in most cases, if not all, their numbers are limited?—Whenever I speak of compulsory pilotage, I mean simply those

Mr. *T. H. Farrer.* 22 March 1870.

cases where the law obliges the shipowners to take a pilot; in ports where there is no such obligation, pilotage is often in other respects subject to regulations as strict and severe as those in force at compulsory ports.

10. The only difference being that in one case the employing a pilot is compulsory by law, and in the other it is not compulsory?—Yes.

11. Since you have been at the Board of Trade I believe little alteration has been made, except in the case of the Bristol Channel, in any of these districts as regards compulsion?—The two principal alterations I can call to mind are the Bristol Channel and the old district under the Newcastle Trinity House. In the Bristol Channel, Newport, Cardiff, and Gloucester have been emancipated from Bristol control, and at the same time compulsory pilotage with respect to all ships trading to and from those ports was put an end to. In the case of the Newcastle Trinity House, distinct independent authorities have been set up for the Tyne, for Sunderland, and Hartlepool; in that district pilotage was compulsory on foreign ships, but not on British ships. This obligation on the foreigner was gradually by the effect of reciprocity treaties, and ultimately by Mr. Milner Gibson's Harbours and Passing Tolls, &c. Act, 1861, put an end to.

12. Though little change has taken place in the districts during the last few years, a considerable number of changes have been made by law, affecting classes of vessels over all, or at least over portions, of the districts?—Yes, certainly; we shall come to those when we come to individual ports. There has been a considerable alteration which is general, viz.: the examination of masters and mates, and the licensing of those examined to pilot their own vessels.

13. The general tendency of legislation of late years has been to increase exemptions, and there have been modifications tending toward the abolition of compulsion?—Yes.

14. That legislation commenced in the year 1849?—Yes; at the time of the repeal of the Navigation Laws.

15. Will you state to the Committee the change then made as regards pilotage?—That was before I was appointed to the Board of Trade.

16. Will you state to the Committee the change then made?—The Act of the 12th and 13th Victoria, chapter 88, recites that "Whereas under the existing laws for the regulation of pilots and pilotage in various ports of the United Kingdom, masters of vessels are liable to the compulsory employment of pilots notwithstanding that the said masters are either themselves, or have on board their respective vessels some one or more persons, competent to perform that duty; and whereas it is expedient that the authorities, in matters of pilotage, should be permitted in certain cases to relieve the masters of vessels from such compulsion under certain prescribed regulations;" and it then proceeds to enact, "That notwithstanding any law, or any usage, custom, or prescription whatever to the contrary hereof, any master or mate may, upon satisfactory testimonials as to sobriety and good conduct being lodged with the Corporation of the Trinity House of Deptford Strond, or the sub-commissioners of pilotage, or other legally constituted authority in matters of pilotage for any port or district, as the case may be, be examined by some of the Elder Brethren of the said corporation, or by the said sub-commissioners or other constituted authority, if they respectively shall see fit so to do, but not otherwise, with or without the assistance of other persons to be appointed by the said corporation, sub-commissioners, or other constituted authority respectively, as they shall see fit, as to his seamanship and his fitness to pilot any vessel of which he may be the master or the mate, within the limits for which he shall be so examined, and for which, if found fit to pilot the same, he shall receive a certificate under the common seal of the said corporation, or the seal (if any), or hands of the said sub-commissioners, or other constituted authority, setting forth the said limits, and the vessel for which he shall be so certified, which certificate shall be in force for one year and no longer, and may be renewed from year to year, at the discretion of the said corporation, sub-commissioners, or other constituted authority, as the case may be, such renewal to be endorsed on such certificate, and signed by the secretary of the said corporation for the time being, or by any two of the said sub-commissioners or other persons composing such other constituted authorities as aforesaid; and such certificate, so long as the same shall be in force as above provided, shall be a full and sufficient authority for the person to whom the same shall have been granted to pilot and conduct within the limits specified in the said certificate the vessel whereof he may be the master or the mate, without the aid or assistance of any duly licensed pilot, and without being subject to any of the penalties in that behalf imposed by any Act or Acts, or by or under any charter or charters relating to pilotage."

17. I believe that was very little acted upon by the local authorities?—It was acted upon to some extent by the Trinity House of London and by one or two others, but it was not generally acted upon.

18. The Merchant Shipping Act of 1854 re-enacted those clauses, and gave the Board of Trade power to examine, in the case of the local authorities refusing to avail themselves of that privilege?—It was not exactly that. In 1853 Mr. Cardwell introduced an Act, the 16th and 17th Victoria, chapter 129, by which various alterations were made in the law relating to pilotage; and by the 14th section of that Act, after reciting the previous Act, it was enacted as follows: "That if upon complaint to the Board of Trade it appears to such Board that any such authority as aforesaid have, without reasonable cause, refused or neglected to examine any master or mate who has applied to them for the purpose, or after he has passed, have, without reasonable cause, refused or neglected to grant him a certificate, or that the examination of any such master or mate has been unfairly or improperly conducted, or that any terms imposed, or sought to be imposed, by such authority, are unfair or improper, the Board of Trade may, if in their judgment the circumstances appear to require it, appoint persons to examine such master or mate, and if he be found fit to pilot his vessel within the limits for which he is examined, may grant him a certificate, setting forth the limits, and the vessel for which he is certified, upon such terms and conditions, and subject to such regulations as such Board may think fit; and such certificate shall be in force for one year, and be renewed from year to year;" and the 15th section provides that such fees are to be paid on the examinations as

as may be fixed upon by the pilotage authorities, with the consent of Her Majesty in Council; and where the Board of Trade examine, the Board of Trade are to fix the fees, so that the fees are not to be less than the fees paid by pilots upon their licenses; and the fees taken by the Board of Trade are to be applicable to paying the expenses of the examinations, and if there is any surplus it is to go to the pilots' superannuation funds, if any, or otherwise for the benefit of the pilots. I should mention the circumstances under which the Act was passed. There were great complaints from the steamship owners, especially trading into and out of the port of Liverpool, and it was very much upon their representations that Mr. Cardwell introduced his Bill. The Bill was much contested by the Liverpool authorities, and divided upon in the House, but it was carried by a large majority.

19. The Merchant Shipping Act of 1854 re-enacted the clauses that you have read to the Committee, and gave additional power to the Board of Trade to exempt particular districts from compulsory pilotage by Provisional Order, did it not?—As regards the examinations of the licenses, the "Merchant Shipping Act, 1854," 17 & 18 Vict., c. 104, ss. 340–344, re-enacted the Acts of 12 & 13 Vict., c. 88, and those sections of 16 & 17 Vict., c. 129, which I have read. Then, in addition to that, the Merchant Shipping Act of 1854, section 332, contained the following general power of exemption: "Every pilotage authority shall have power by law, made with the consent of Her Majesty in Council, to exempt the masters of any ships, or of any class of ships, from being compelled to employ qualified pilots, and to annex any terms or conditions to such exemptions now existing by virtue of this Act or any other Act of Parliament, law, or charter, or by usage, upon such terms and conditions and in such manner as may appear desirable to such authority."

20. In one respect that Act extended compulsory pilotage, namely, to the home passenger vessels, by Section 354 as well as Section 355?—This is a rather complicated subject, and the Committee will excuse me if I read the sections, and explain them a little at length. Section 353 is this: "Subject to any alteration to be made by any pilotage authority in pursuance of the power hereinbefore in that behalf given" (that is to say, subject to the power of exemption from compulsory pilotage, which I have read), "the employment of pilots shall continue to be compulsory in all districts in which the same was by law compulsory immediately before the time when this Act comes into operation, and all exemptions from compulsory pilotage then existing within such districts shall also continue in force." Under those words, the Courts have held that exemptions not specially provided for in that Act of 1854 still continue in force, notwithstanding the express provisions in the Act of 1854, that compulsory pilotage shall exist; the Courts have leaned in favour of the exemptions. Then the mode in which compulsory pilotage is to be enforced is important: (s. 353.) "Every master of any unexempted ship navigating within any such district who, after a qualified pilot has offered to take charge of such ship, or has made a signal for that purpose, either himself pilots such ship without possessing a pilotage certificate enabling him so to do, or employs, or continues to employ, an unqualified person to pilot her; and every master of any exempted ship navigating within any such district, who, after a qualified pilot has offered to take charge of such ship, or has made a signal for that purpose, employs, or continues to employ, an unqualified pilot to pilot her, shall for every such offence incur a penalty of double the amount of pilotage, demandable for the conduct of such ship." Thus the evasion of compulsory pilotage is punished, not by compulsory payment of pilotage, but by a penalty.

21. That is a general provision, affecting not only compulsory districts, but non-compulsory districts?—No, there is a difference. The provision I have just read applies to compulsory districts only. In non-compulsory districts, under Section 360, there is a penalty upon an unqualified pilot, who continues to pilot a ship after a qualified pilot has offered his services, but there is no penalty upon the master for employing an unlicensed pilot.

22. Will you now describe the operation of the Acts upon the home trade passenger ships?—The Act of 1854 imposed a new compulsory pilotage, which did not exist previously, in this way. Previously compulsory pilotage existed only under a number of Local Acts, with different exemptions. In many of them there were exemptions in favour of coasters, without any distinction being made between sailing and steam vessels, and without any difference being made between ships carrying passengers and ships which did not. In the meantime, by Mr. Labouchere's Mercantile Marine Act of 1850, 13 & 14 Vict. c. 93, the masters and mates of foreign going vessels were compelled to undergo an examination before they could procure certificates. In 1853 or 1854, there was a question as to whether that system of examination should be extended to coasting vessels. Mr. Cardwell thought that what was required for the masters of coasting vessels was local knowledge, much more than that sort of general knowledge of navigation which could be tested by a general examination. In fact, it was knowledge of pilotage rather than knowledge of navigation that was required, and he therefore thought that it was undesirable to interfere with the coasting vessels which did not carry passengers, but that it was desirable to do something for the safety of passengers, consequently he introduced a clause (Section 354) of the Merchant Shipping Act of 1854, which is as follows: "The master of every ship carrying passengers between any place situate in the United Kingdom or the Islands of Guernsey, Jersey, Sark, Alderney, and Man, and any other place so situate, when navigating upon any waters situate within the limits of any district for which pilots are licensed by any pilotage authority under the provisions of this or of any other Act, or upon any part thereof so situate, shall, unless he or his mate has a pilotage certificate enabling such master or mate to pilot the said ship within such district, granted under the provisions hereinbefore contained (that is, under the provisions I have already quoted), or such certificate as next hereinafter mentioned, being a certificate applicable to such district and to such ship, employ a qualified pilot to pilot his ship, and if he fails so to do he shall for every offence incur a penalty not exceeding 100 *l.*" But it was not his intention that he should really employ a pilot; his intention was that the master should be induced to submit himself for examination.

Mr. *T. H. Farrer.* 22 March 1870.

23. To qualify himself for local pilotage?—Yes. Then comes a further clause, Section 355, which has caused very great confusion. It was represented, especially by the steam shipowners plying in and out of Liverpool, that the pilotage authorities never would fairly grant certificates. They said, "When you are putting upon us a new obligation, take care that that obligation does not weigh too heavily against us. As regards the local obligation, we may go to the pilotage authorities and be examined if we like; but as regards the new obligation, do you the Board of Trade take it into your own hands to give us a certificate." This representation was thought to be reasonable, and to meet it Section 355 was introduced, and that section gave the Board of Trade power to exempt any home trade passenger ship from the obligation imposed by Section 354. It is as follows: "Any master or mate of a ship, which by the last preceding section is made subject to compulsory pilotage, may apply to the Board of Trade for a certificate, and the Board of Trade shall thereupon, on satisfactory proof of his having continuously piloted any ship within the limits of any pilotage district, or of any part or parts thereof, for two years prior to the commencement of this Act, or upon satisfactory proof, by examination, of his competency, or otherwise as it may deem expedient, cause to be granted to him, or to be indorsed on any certificate of competency or service obtained by him, under the third part of this Act, a certificate to the effect that he is authorised to pilot any ship or ships belonging to the same owner, and of a draught of water not greater than such draught as may be specified in the certificate within the limits aforesaid; and the said certificate shall remain in force for such time as the Board of Trade directs, and shall enable the master or mate therein named to conduct the ship or ships therein specified within the limits therein described, to the same extent as if the last preceding section had not been passed, but not further or otherwise; and every such master or mate shall, upon applying for such certificate or for any renewal thereof, pay to the Board of Trade, or as it directs, such fees, not exceeding the fees payable on an examination for a master's certificate of competency under the third part of this Act as the Board of Trade directs; and such fees shall be applied in the same manner in which the fees payable on such last-mentioned examination are made applicable." So that you have a double obligation: a local obligation and a general obligation. From the local obligation imposed by local Acts the pilotage authorities can exempt them by a certificate issued under Sections 340 to 343; and if they fail to do their duty, the Board of Trade can also exempt. From the general obligation imposed by Section 354 the certificates issued under Sections 340 to 343 will exempt; but, in addition, the Board of Trade can also exempt under Section 355.

24. Will you now point out to the Committee the clauses enabling a qualified pilot to supersede an unqualified pilot?—By Section 360 of the Act, a qualified pilot may supersede an unqualified pilot, but the master may pay the unqualified pilot a proportionate sum for the distance that he has piloted the vessel, and deduct the same from the money paid to the other pilot.

25. That is a general provision affecting a non-compulsory pilotage, as well as a compulsory district?—Yes; and then comes Section 361 imposing a penalty on an unqualified pilot assuming or continuing in the charge of any ship after a qualified pilot has offered to take charge of her.

26. Now, with regard to the mode of recovering rates when earned, will you explain to the Committee those clauses?—Section 363 first defines the persons liable to pay pilotage rates, and then it proceeds, that "In default of payment such pilotage dues may be recovered in the same manner as penalties of the like amount may be recovered by virtue of this Act; but such recovery shall not take place until a previous demand thereof has been made in writing, and the dues so demanded have remained unpaid for seven days after the time of such demand being made"; consequently, where the owner of a ship refuses to pay pilotage which has been duly earned, the pilot must give seven days' notice before he can proceed for their recovery; but under Section 353, which I read before, a pilot whose services have been refused by a master who is under the obligation of law to employ him, can at once proceed for the double pilotage, that is, for the penalty, and he can have the master arrested and brought up as a criminal without seven days' notice.

27. Will you now proceed to explain to the Committee Section 388, which deals with the liability of shipowners where pilotage is compulsory?—Section 388 is this: "No owner or master of any ship shall be answerable to any person whatever for any loss or damage occasioned by the fault or incapacity of any qualified pilot acting in charge of such ship within any district where the employment of such pilot is compulsory by law"; that section, I should mention, is a re-enactment, but in a modified form, of a section in a previous Pilotage Act.

28. That is the law under which owners are now exempted from liability where they carry a pilot under compulsion?—Quite so.

29. I think a considerable number of complaints have been made to the Board of Trade, from time to time, as to the existing method of enforcing compulsory pilotage?—Yes.

30. Will you give the Committee some cases illustrating the complaints that have been made?—I will take some cases in a Paper which has already been laid before Parliament; it is Parliamentary Paper, 455, of the Session of 1862; it is improperly entitled Newcastle-upon-Tyne Trinity House. This is a statement in a letter from Mr. Lindsay to the Board of Trade, dated the 12th of January 1860, and it is to be found at page 40 of this Return. "The barque, 'Chase,' Clark, master, having taken in ballast at Northfleet, passed Gravesend on the 30th of December last, on her way to the north. It was blowing at the time very strong from the westward. Off the town pier, Gravesend, a pilot in his boat hailed the ship. The master hove to; but as the 'Chase' was likely to fall foul of a vessel at anchor, he was obliged, before the pilot could reach his ship, to fill her fore yard, in order to give her steerage way to clear the vessel at anchor. Seeing this, the pilot pulled for the shore. The master alleges that he did everything in his power to get the pilot on board; but that the pilot made no exertions to reach the ship, knowing that his pilotage was secure, whether he performed his duty or not. The master further states that he was agreeable to have

have a pilot, and that if the most ordinary exertions had been used the pilot could easily have got on board. Such are the facts represented to me by Messrs. Lumsden and Byers, in whose statements I can place the utmost confidence. I now beg to call your attention to what followed. The first account rendered for pilotage was sent through a solicitor, whose note (No. 1) I enclose. It is dated the 4th instant, but it did not reach the master of the 'Chase' till 3 p.m. of Saturday the 7th inst. The master had to consult Mr. Boxford, the owner of the barque; as soon, however, as this latter gentleman had received the account, he sent, on Monday the 19th instant, a post-office order for the full amount claimed, with 6*s.* 8*d.* additional, being the lawyer's charge for writing the note. But the matter did not end here. On the same day, namely, Monday the 9th instant (I am particular with the dates), a policeman was dispatched from Gravesend, and on the morning of Tuesday the 10th he served upon the master of the 'Chase' the enclosed summons (No. 2), and demanded payment of the enclosed account (No. 3), amounting to 21*l.* 1*s.* This, you will note, contains a charge of double pilotage, 12*l.* 8*s.*; solicitor's fee, 1*l.* 1*s.*; and the policeman's expenses, 7*l.* 1*s.* 6*d.* I understand that these proceedings, however prompt, and, I must add, harsh and extraordinary, are in conformity with the law; and Mr. Boxford must have felt so, for though he had paid the pilotage, he at once also paid the 21*l.* 1*s.* also demanded of him." I should remark that the same facts are mentioned in the memorial from the Sunderland Shipowners' Society; and they state, at page 41 of the same Return, "That this case is only one among many in which the warrants of a Gravesend justice of the peace have been similarly employed to extort the payment of large sums of money, under the pretence of the law having been violated by refusing a pilot, the approved commercial practice being to submit to tyranny when resistance is profitless, and pay money not considered due rather than incur the personal vexation and pecuniary loss of a long journey under arrest, and of an unsatisfactory hearing of disputed facts before a tribunal in the impartiality of which the shipowner has not the slightest confidence."

31. Mr. *Pemberton.*] What is the tribunal?—Two justices of Gravesend. Then there is a letter from the solicitor explaining his proceedings in the matter at page 44, and it appeared that there had been some misunderstanding about the dates. In fact, the question of dates was never distinctly cleared up. He states that he was not aware when he obtained the warrant for arrest that the shipowner was willing to pay the pilotage without it. I do not think the facts, as stated by Mr. Lindsay, were disputed, except that the pilot states distinctly that the master declined to take him on board, whereas the master states that he could have got on board if he wished. In other respects the facts were not disputed, and in the end the Board of Trade were obliged to tell Mr. Lindsay only that it was a hard case, and that they could do nothing. Mr. Lindsay's letter is dated the 12th January 1860; he mentions the 30th of the previous December 1859, as the day on which the pilot offered his services.

32-3. *Chairman.*] I think there was a complaint from the Dutch Minister, with reference to another ship called the "Martha Alida"?—At page 71 of the same Paper the case of the "Martha Alida" is given; the letter is in French, but I will translate, as well as I can, the statement of the case. "I am charged by my Government to bring to your Lordship's notice the following facts concerning rates of pilotage, and other expenses for the administration of pilotage at Yarmouth, as imposed upon Captain Karst, master of the Dutch vessel the 'Martha Alida.' On his voyage between Queenstown and Hull the captain had continually to strive against a heavy sea and contrary winds, and when he arrived at Lowestoft he was obliged to anchor in consequence of the tempest. The weather having become calmer he continued his voyage towards Hull, passing between the Yarmouth banks and the shore, when he was boarded by a boat, from which they asked him whether he wanted a pilot, to which he said, 'No.' When he arrived at Hull they asked him 1*l.* 10*s.* for the pilot rates at Yarmouth. Captain Karst declared that he was ready to pay the sum as soon as they proved that he owed it, but the proof was never given; some days after an employé of the police of Yarmouth arrived at Hull to arrest the captain, and take him before the authorities of the last-mentioned town, unless he would immediately pay double the pilotage rates, as well as certain expenses, amounting altogether to the large sum of 14*l.*, detailed in the note that I have the honour to annex." Here is the bill of costs for apprehending the captain of the schooner the "Martha Alida;" pilotage and witnesses, 3*l.* 7*s.*, attorney, 1*l.* 1*s.*, magistrates clerk's fees, 5*s.* 6*d.*, telegrams, 9*s.*, railway fares to Hull and back, and incidental expenses of policemen, 4*l.* 17*s.* 6*d.*, and officers' charges, 4*l.*; amounting altogether to 14*l.*, which the captain had to pay because he did not take a pilot in the Yarmouth Roads, whom he did not want. The explanation given does not alter the case, it admits the facts; and the Board of Trade were obliged to end the matter by telling the Foreign Office that the case was one of great hardship, with which, however, they could not interfere.

34. Then the case of the "Billow," which is reported in the same Paper, I believe, bears upon the same case?—Yes, that was a case brought to the notice of the Board of Trade by Mr. Tatham, who, if I remember rightly, was an owner of small ships in the fruit trade; and this is a memorial to the Trinity House from William Henry Dugdale, at page 103 of this Return: "That I am master of the schooner 'Billow,' and was, on the 10th day of May instant, on my homeward voyage from Nassau to London, laden with turtle, and other goods. That, in passing through the Downs from Dungeness to Deal, I own that I failed to display the usual signal for a pilot. That I was in the act of doing so, when a small tug-boat spoke to me, and asked where I was from; I replied from Nassau, and that I wanted a pilot. A foreign brig was also coming through the Downs, and the pilot on board of her spoke me, and said he should report me for not having the 'Jack' flying. That on the 15th of May instant I was applied to by Mr. Edward Drew, a solicitor at Deal, on behalf of William Mackie, one of the pilots of your honourable house, and was required to pay double pilotage, under section 378 of the Merchant Shipping Act, for not displaying a 'Jack;' and I was afterwards informed by Mr. Drew that a warrant was prepared, and would be executed unless I would remit to him the sum of 9*l.* 12*s.* 6*d.* by way of compromise

Mr. *T. H. Farrer.*

22 March 1870.

Mr. *T. H. Farrer.*
22 March 1870.

of the matter. That I, thereupon, applied to your honourable house, and was informed that I had better pay the amount; whereupon I immediately caused the sum of 9 *l.* 6 *s.* to be remitted to Mr. Drew, whose acknowledgment I hold for the same, stating that he has paid it to Mr. Mackie." (I should state that the Trinity House entirely deny that they ever advised him to pay this sum.) "That immediately after the above payment was made I was arrested in London, from a process issued from Dover, and was thence conveyed to Dover, to answer a charge of not displaying a 'Jack.' That when before the magistrate at Dover I mentioned that I had already paid a penalty for that offence of 9 *l.* 6 *s.*, but the magistrate refused to take notice of the same, and convicted me in a penalty of 19 *l.* 13 *s.*, and 5 *l.* costs (making altogether 24 *l.* 13 *s.*), and I had no alternative but to pay the same or go to prison; and I accordingly, there and then, paid, or caused to be paid, the said sum of 24 *l.* 13 *s.* That, in consequence thereof, I have caused application to be made to Mr. Drew for a return of the said sum of 9 *l.* 6 *s.* so paid by me as aforesaid, but the same has not yet been returned to me." Now the allegations in reply to that are, that this man was in the habit of trying to evade the compulsory pilotage, and that he was at this time following another vessel which had a pilot on board, and that the authorities of Dover and Deal, or rather the pilots of Dover and Deal acted independently, each for themselves But admitting this, the consequence was that this man, who did not want a pilot, had not only to pay double pilotage, was carried as a criminal to Dover, and had to pay also the expenses of the arrest and warrant.

35. Mr. *Gourley.*] Have you had many similar cases since 1862?—No; we were obliged to answer at the time that we had no power to interfere, and there was no use in laying complaints before us.

36. *Chairman.*] Those papers were laid before Parliament, and it was seen that there was no remedy for these cases?—Yes.

37. Were these two penalties for the same offence?—Yes, only they were enforced from different places; not hoisting the Jack upon coming into the Downs was the one offence; first of all one pilot applied, and he was paid; on that occasion the master paid without legal process; on the second occasion the magistrates at Dover convicted for the same offence, and would not receive previous payment as a defence; the two fines were for the same affair.

38. Mr. *Hardy.*] He paid the first penalty without having appeared before any justices, and he had nothing to show that he had paid it?—He showed that he had paid it, but could not show that he had paid under legal process,

39. *Chairman.*] I now wish to ask you with reference to the complaints that have been made of the exemptions of the liability of shipowners, where pilotage is compulsory; you have already read to us a clause of the Merchant Shipping Act, exempting the shipowners from liability where he is bound to carry a pilot, and you have said that that clause was a re-enactment of previous legislation upon the same subject, but I think you cannot trace that legislation earlier than the year 1812; is not that the case?—I cannot trace it before 1812; it is quite clear that pilotage was compulsory in the Thames as early as 1716. There is an Act of that year, 3 Geo. I., c. 13, which clearly implies that it was compulsory then, and it probably had been compulsory before.

40. But as far as you can tell, there was an exemption of liability by statute, in respect of owners when pilotage was compulsory earlier than 1812?—Yes, the first clause upon the subject that we find is the 52nd of Geo. 3, c. 39, s. 30; that clause was re enacted by the Pilotage Act of the 6th of Geo. 4, c. 125, s. 55, and it is worth while looking at the words of that section, because they differ from the words of the Merchant Shipping Act. That was the Act that governed pilotage generally before the Merchant Shipping Act, 1854. Section 55, is to this effect, "That no owner or master of any ship or vessel shall be answerable for any loss or damage which shall happen to any person or persons whomsoever, from or by reason or means of any neglect, default, incompetency, or incapacity of any licensed pilot acting in the charge of any such ship or vessel, under or in pursuance of any of the provisions of this Act, where and so long as such pilot shall be duly qualified to have the charge of such ship or vessel, or where and so long as no duly qualified pilot shall have offered to take charge thereof." That differs from the present Act, because it does not say anything about the employment of a pilot being compulsory. It says, whenever he is employed under the provisions of the Act. The clause in the Merchant Shipping Act says, that he shall not be liable within any district wherein the employment of a pilot is compulsory by law.

41. I think the judges in the older cases rather leaned against the shipowners; in this case they extended his liability, even though the employment of a pilot was compulsory?—As far as I can make out, from the judgments given immediately after the passing of those Acts of Geo. 3, it would seem that the judges had always held a shipowner liable before that time, whether the employment of a pilot was compulsory or not. There is a case decided by Lord Stowell, in 1814, two years after the passing of the 52 Geo. III. It is called the "Neptune the Second," and is reported in the Dodson's Reports, page 467. In thatcase the pilotage must have been compulsory, and yet Lord Stowell held that the owner was liable. The Act is not mentioned in his judgment; it merely shows what Lord Stowell's impression of the general law was. Then the question was very much discussed before Sir John Nichol in the case of the "Girolamo," in 3 Haggard's Reports, page 169. He there raised a great many points upon the Act, and was obviously very desirous of contracting its operation as much as possible, and he finally decided that, whereas the Act reserved the jurisdiction of the Admiralty Court, the Admiralty Court had still power to order a remedy *in rem.*, thereby making the ship liable for the damage done by a compulsory pilot, although there might be no action at common law against the owner. I think we may say positively, that neither of those cases are now law in this country.

42. The tendency of the courts of recent years has been to establish the law in this manner, that, independently of the Merchant Shipping Act, or any statutory provision exempting the owner from liability, as a matter of general law, where the law compels the employment of an agent, the principal is not liable for his actions?—Yes;

—Yes; but before we come to that I think I should add, that if any members of the Committee wish to see a statement of the previous law, they will find it very well put in Sir John Harding's argument, in the case of the "Peerless," in 1st Lushington's Admiralty Reports; that argument contains a complete statement of the cases and of the law, independently of the Act.

43. Will you refer to Dr. Lushington's judgment in the case of the "Protector," which states the more recent law on the subject?—That is to be found in 1st William Robinson, page 45. This is the way in which Dr. Lushington states the law: "Where the appointment rests with the owner himself, as in the case of the master and crew, it is reasonable that he should be held responsible for their acts, who are agents selected by himself; and he is bound to provide persons of adequate skill, diligence, and sobriety. But where a person is compulsorily put on board the vessel, and the owner's authority is superseded by legislative enactment, it would be a violation of all justice to hold such owner responsible for the skill, sobriety, and caution of an individual with respect to whom he has no power of selection, whose qualifications he has no opportunity of deciding upon, but which are to be ascertained and determined by others, the owner himself being entirely debarred from any possibility of interference. On the words of the statute, therefore, and upon principles of equity and justice, I am bound to hold the owners relieved from all responsibility where the accident has been occasioned, according to the words of the statute, 'from or by reason or means of any neglect, default, incompetency, or incapacity of any licensed pilot acting in charge of the vessel.'" In another case, the "Maria," in the same volume, at page 106, he says, "Now I am of opinion that independently of the express provisions in those statutes, the compulsorily taking of a pilot does, upon general principles, relieve the owner from all responsibility for his acts. Observe the expression of Mr. Justice Le Blanc, 'independently of the general principle, the Pilot Act provides,' &c. Although, therefore, his judgment was founded upon the opinion that the 55th section did apply to the Liverpool Act in the particular case he was deciding, he clearly recognised the general principle, and this principle is one that is recognised by common sense and justice all over the world. Supposing, then, the General Pilot Act not to apply in this case, is not the general principle alone sufficient to exonerate the owners? I think it is, and for this reason: upon general principle a man is answerable for the acts of his servants, for injuries done by them to others within the scope of their employment; and why? Because he selects them, and the selection is voluntary. But if a man is compelled to employ another, the principle upon which liability depends wholly fails." Those judgments, which, I think, are confirmed by other cases in the Courts of Common Law, are certainly inconsistent with the doctrines held by Lord Stowell and Sir John Nichol, with the doctrine held in the American courts, and with the view of the law taken by the present Judge of the Admiralty Court.

44. The effect of those decisions is that the statutory provision, which you have already read, is unnecessary, and that he is practically exempt from liability where he is bound to carry a pilot, independently of any statutory provision to that effect?—Yes.

45. At the same time I think the judges have rather struggled against the provision of the Act, and have thrown the liability upon the shipowner wherever they found it possible to do so; wherever the shipowner has at all interfered with the pilot, or where he cannot show that the pilot was exclusively responsible for the damage effected?—They have done so; but before we go to that I should like to read two or three passages which show to what extent the courts carry the doctrine in this respect; that they hold not only that the master and the owner are freed from liability, but that for many purposes the master is not legally entitled to interfere with the pilot.

Mr. *T. H. Farrer.*

22 March 1870.

46. Will you point out a case showing that point?—This is from the case of Hammond *v.* Rogers, in the matter of the "Christiana," in the Privy Council, reported in 7th Moore's Reports, page 171. I will read from the judgment of Mr. Baron Parke:—"The duties of the master and the pilot are in many respects clearly defined. Although the pilot has charge of the ship, the owners are most clearly responsible to third persons for the sufficiency of the ship and her equipments, the competency of the master and crew, and their obedience to the orders of the pilots in everything that concerns his duty; and under ordinary circumstances we think that his commands are to be implicitly obeyed. To him belongs the whole conduct of the navigation of the ship, to the safety of which it is important that the chief direction should be vested in one only. The expressions attributed to the learned Judge in the report of his judgment in this case, we are perfectly satisfied, were never intended to suggest that under ordinary circumstances the master was to exercise any discretion whether he would obey the pilot or not. There may be extraordinary occasions when the master would be justified in disobeying the commands of the pilot. If from sudden illness or intoxication he becomes incompetent to command, the supreme authority would revert to the master during the pilot's temporary incapacity. It may be the same in the case of manifest incapacity of a permanent character; but any opinion upon these questions is unnecessary for the decision of the present case, as none of these circumstances occurred. The pilot has unquestionably the sole direction of the vessel in those respects where his local knowledge is presumably required." And in the case of the "Lochlibo," in 3 Robinson's Admiralty Reports, page 321, Dr. Lushington says, "It appears to me that it would be a most dangerous doctrine to hold forth, considering the duties imposed upon pilots, and the experience and local knowledge they are supposed to possess, if I were to sanction the interference of the master in any way in the performance of those duties which the pilot must be considered more peculiarly competent to discharge, and of which the master, in the majority of cases, must be a very inferior judge. I do not, of course, in these observations intend to go the extraordinary length of saying that under no possible state of circumstances is the master justified in interfering with the pilot. If the latter was utterly incompetent to the proper discharge of his duties, it would clearly be incumbent upon the master to interfere for the protection of the lives and of the property on board his vessel. Such, however, would be a case of extreme necessity."

Mr. *T.H.Farrer.*

22 March 1870.

47. On the other hand, I think the courts have recently carefully confined the exemption to cases where the employment of a pilot is compulsory, and where the fault is distinctly a fault of the pilot?—It is strictly confined to those cases; there are a vast series of cases, some not consistent with one another, but the whole tendency of which has been strictly to confine the exemption from liability to cases where a fault arises from the act of the pilot. First the courts decided upon the language of the statute, that not only must the district in which the damage happens be a compulsory district, but the employment of a pilot must be compulsory; in proof of that, I will refer you to the "Stettin," 1st Brown & Lushington, page 199; the "Lion," 2nd Law Reports, Privy Council Appeals, page 531, &c., &c.

48. And I think more recently the courts have held that the onus is upon the owner to show that the damage was due to the pilot, and not to anybody else?—They have held that not only must the act be the act of the pilot alone, but that it rests upon the owner to show that it was the act of the pilot alone.

49. I do not think I need take the Committee through the list, but do you state generally that that is the result of the cases more recently decided?—That is the result of all those cases; I will only mention two of them; the case of the "Carrier Dove," reported in Browning & Lushington, p. 113, was a case in which the owner was held responsible, because the vessel was moved in the Mersey at an improper time, although the pilot was upon deck and giving orders. The judgment in the case of the "Velasquez," 4th Moore, New Series, page 431, gives the result of all the recent cases. It says, "It has been established by a long course of decisions, both in the High Court of Admiralty, and at this Board, that to entitle the owners of a ship which is under the charge of a licensed pilot to the benefit of the provision in the Act which exempts them from liability where the collision has been occasioned by the fault of the pilot, it lies upon them to prove that it was caused solely by his fault. To show to what extent this general burden lies upon the owners, it is sufficient to cite the case of the 'Schwalbe'; there the cause of collision was an improper starboarding of the helm, an act of navigation presumably attributable to an order from the pilot, yet the owners were held liable, because they had failed to prove expressly that the order to starboard was given by the pilot. Lord Chelmsford in delivering the judgment of this Committee, said, "The owners therefore fail entirely in the evidence necessary to transfer the responsibility from themselves; and without considering whether there was any negligent act or omission on the part of the crew of the 'Schwalbe,' their Lordships think it sufficient to say, that the owners have not succeeded in establishing that the collision is to be attributed solely (if at all) to the fault of the pilot. Again, the cases have clearly established that if, for any act or omission which contributed to the accident, the master or crew is to blame; then, although the pilot is also to blame, the owners are not exempted from liability. One of the strongest cases of this kind is that of the 'Christiania,' for there every act of omission (and there were several of them) which contributed to the accident, was an act for which the pilot was to blame; yet, inasmuch as for one of them, viz., the omission to strike and haul down certain yards and masts, the master was held to be also in fault, the owners were not exonerated from liability. On the other hand, such cases as the 'George' and the 'Atlas,' seem to show that if it be proved on the part of the owners that the pilot was in fault, and there is no sufficient proof that the master or crew were also in fault in any particular which contributed, or may have contributed, to the accident, the owners will have relieved themselves of the burthen of proof which the law casts upon them."

50. Will you now explain to the Committee the effect of these recent decisions upon the management of vessels when within a compulsory district?—It certainly appears as if the effect of these decisions were to make it to the interest of the captain not to interfere with the pilot in any case, even if he sees the vessel going into danger. If he leaves the pilot perfectly alone and the pilot makes a mistake, the owner is not responsible if damage occurs; but, on the other hand, if he interferes he makes the owner responsible, and that notwithstanding that the master may be better acquainted with the qualities of his ship, and better acquainted even with the local navigation than the pilot himself. It is scarcely necessary for me to refer to the recent case of the "Spindrift," the Papers relating to which are in type, and will be in the hands of Members in a day or two.

51. Will you illustrate the effect of what you have spoken?—In that case the ship was in charge of a most experienced master as well as a most experienced pilot, but for two hours previous to the accident she was steering on a course which anyone who was the least acquainted with the channel navigation must have known to be the wrong course if the lead had only been cast; the captain went down below; he did not interfere in any way with the pilot; he came up just before the ship struck; he found the ship in a position in which she ought not to have been; he went down below again; the pilot changed the course of the ship, and the ship was on the shore. It is impossible to say what the motives were in that case, but if the master had been responsible for the conduct of the ship in that case, it is scarcely to be believed that he would have allowed his ship to be run on shore.

52. In consequence of this exemption of liability of the owner, the practice has grown up for the captain to leave the pilot in charge of the vessel?—Yes.

53. It is to the interest of the owner that he should do so?—It is to the interest of the owner that he should do so.

54–5. Simply on account of the exemption from liability?—Yes. In the case of the "Spindrift," the magistrate took a strictly legal view of the case; the Board of Trade did not question the magistrate's law; but they thought that he and his court, being a court of discipline, should have looked to nautical experience and practice in well-governed ships, as well as to decisions on questions of legal liability. Upon this point the Board of Trade consulted the Trinity House. I will read the view of the Elder Brethren as to what the practice and duty is. The Elder Brethren say, that "the question is rather one of custom or, perhaps, of opinion, than of law, and in giving expression to their views at the desire of the Board of Trade, they hope

hope it may lead to a better definition of what a master's duties are in such cases. The Elder Brethren do not consider that in well-conducted ships the masters regard the presence of a duly licensed pilot in compulsory pilotage waters as freeing them from every obligation to attend to the safety of the vessel, but are of opinion that while the master sees that his officers and crew duly attend to the pilot's orders, he himself is bound to keep a vigilant eye on the navigation of the vessel, and when exceptional circumstances exist, not only to urge upon the pilot to use every precaution, but to insist upon such being taken; and that this is the view now taken by large shipowners seems clear, from the fact that of late years the practice of allowing masters to join long voyage ships at ports down channel, as was formerly the custom, has been generally abandoned." That seems to show that the practice in good ships is at variance with law, as laid down in the cases I have referred to.

56. Is it the experience of the Board of Trade that many accidents have occurred from the captain leaving the pilots completely in charge of vessels?—I do not think that the Board of Trade's experience goes to such cases. They would not have the means of knowing about them.

57. Have complaints been made to the Board of Trade to that effect?—No; but the best shipowners have frequently represented to us that on no account would they take the vessels out of the charge of their masters and place them in the charge of the pilot. The owners of the best conducted ships look upon a pilot as a person who ought to assist the master with a knowledge of the local navigation; but that the master is the person who alone ought to be responsible for the navigation of the ship.

58. In consequence of the exemption of liability, the practice has grown up for the captain not to interfere with the navigation of the ship in pilotage waters, leaving the vessel in charge of the pilot exclusively?—Yes.

59. Now, will you point out to the Committee the cases of injustice which have occurred in consequence of this exemption of liability as between ship and ship, namely, in cases where vessels under compulsory charge of a pilot come into collision with a vessel not bound to carry a pilot?—We have had repeated memorials from the small shipowners in the River Thames as to the hardship of this law upon them. In the Paper which I have previously referred to (Paper 455 of Session 1862) there will be found at pages 82 and 83 a petition, or rather a representation, on behalf of a large number of barge-owners and owners of small craft in the Thames, stating that they are constantly run down by steamers in the Thames; that those steamers are in charge of compulsory pilots, and that they have no remedy. At page 83 there is a list of those to which damage had been caused by vessels under charge of duly licensed pilots, during the years 1860 and 1861, and of the amount not recovered from them.

60. Have these barge-owners any remedy against the pilot in such cases?—Their remedy against the pilot is absolutely worthless.

61. And in consequence of the exemption of liability of the owners, they have no remedy against the owners?—None. Then we have had two or three representations sent since that, which I will hand in to the Committee. A memorial was left at the Board of Trade by a large deputation on the 20th of May 1865, and signed by, I should think, some hundred barge-owners and owners of small craft in the river, owning barges and small craft to the extent of 135,000 tons, in which they represent this as a very great hardship. (*The same was delivered in*, vide *Appendix* (A), No. 1.) Here is another similar memorial received in February 1868, from an equally large number, or a greater number, of barge-owners, owning 407,000 tons, representing the same grievance. (*The same was delivered in*, vide *Appendix* (A), No. 2.) On the occasion of one of these deputations, the President asked for any cases which had occurred in which damage had been done, and in which the parties injured had not been able to recover. They consequently sent in an actual list of cases in which damage has been done, and in which nothing has been recovered. The damage in all these numerous cases amounted to about 6,000 *l.*, and only 652 *l.* was recovered. (*The same was delivered in*, vide *Appendix* (A), No. 3.)

62. You mean recovered from pilots?—Recovered from pilots. I will put in a letter from Mr. Lee, one of the owners of barges, in which he gives at full length a statement of two cases of this kind, and in which he was determined to prosecute the legal remedy to the uttermost. (*The same was delivered in*, vide *Appendix* (A), No. 4.)

63. Such cases are not merely confined to small vessels and barges, but they occur also between vessels of a much larger size when they are not bound to carry pilots?—Yes; I think it is only fair to say, with respect to these cases, that there is a per contra on behalf of the steamers. These barges go sideways, lumbering up and down the river, and are exceedingly in the way of steamers, so that the hardship is not entirely upon one side. In fact, the traffic increases daily, whilst the river remains the same.

64. When steamers not bound to carry pilots come into collision, then the owner has to pay?—Yes.

65. It is only those steamers that are not bound to carry pilots that are exempt?—It is not a question whether they carry pilots or not, but whether they are bound to carry a pilot or not.

66. With reference to the larger class of vessels other than those that you have mentioned, which are not bound to carry pilots, will you now mention to the Committee the kind of cases of hardship which occur?—I can put it in the shortest language by reading from a memorandum which has been laid before Parliament by the Board of Trade, which will give a few of these cases. You must remember that the exemptions from compulsory pilotage are of the most capricious kind, and the question in these cases is, whether both ships or whether one of them was compelled to carry a pilot. I can give you some of the results.

67. Will you first state to the Committee what the exemptions in respect to the River Thames are; I think that the exemptions in the case of the Thames are prescribed in the Merchant Shipping Act?—Yes; under Section 379 the Act recites: "The following ships, when not carrying passengers, shall be exempted from compulsory pilotage in the London district and in the Trinity House outport districts (that is to say): ships employed in the coasting trade

Mr. *T. H. Farrer.*

22 March 1870.

of the United Kingdom; ships of not more than 60 tons burden; ships trading to Boulogne or to any place in Europe north of Boulogne; ships from Guernsey, Jersey, Alderney, Sark, or Man, which are wholly laden with stone, being the produce of those islands; ships navigating within the limits of the ports to which they belong; ships passing through the limits of any pilotage district on their voyages between two places both situate out of such limits, and not being bound to any place within such limits, nor anchoring therein."

68. In addition to the above vessels coming to London from a foreign port, and then going to another part of the United Kingdom for cargo, they are exempt, are they not?—Yes, under an Order in Council passed at the instance of the Trinity House a few years ago.

69. I need not call your attention to the very numerous cases of vessels coming to London with a cargo, and going to other ports for a return cargo?—Yes. There were repeated complaints concerning vessels in ballast, and the discussion finally ended in the Trinity House procuring an Order in Council to exempt them.

70. Are those ships all exempt from the obligation to carry a pilot?—Yes.

71. In point of fact do they generally carry a pilot?—I believe that most of them do so, though he is often an unlicensed pilot.

72. Particularly so when they are foreign vessels?—Yes.

73. Will you point out the cases of hardship which occur as between vessels exempt, and vessels not exempt?—There is one other class of exemptions: all those who have masters and mates who are licensed to pilot their own vessels. I will read now, as the best answer I can give to the question, a passage from Parliamentary Paper, No. 70, of this Session: "Two ships, A. and B., both of the same size and description, come into London, A. from the North Sea, B. from the Channel. Both employ a pilot. They get into collision. If A. is in fault, B. has a remedy; if B. is in fault, A. has none. Two ships, A. and B., say from Leith to London, both take a pilot at Orfordness. A. has passengers, B. has none. They get into collision. If A. is in fault, B. has no remedy against A.; if B. is in fault, A. has a remedy against B. Two ships again, A. and B., bound from Havre to London, take pilots at Dungeness. The master of A. has taken pains to pass a pilotage examination, and he has a pilotage certificate. The master of B. has, perhaps purposely avoided doing so. They come into collision. A. has no remedy against B., whilst B. has a remedy against A. The object of Mr. Cardwell's legislation concerning passenger ships, viz., that of requiring, through the medium of compulsory pilotage, that masters shall learn to pilot their own ships, is thus defeated. There has been a case in which the master of a Scotch passenger steamer asked the Board of Trade to contract the limits of his certificate, because his ability to pilot his own vessel exposed his owner to liability when in charge of a pilot. Again, a ship bound to London takes a London pilot at Scilly, or the Lizard; a very common case. For damage by collision westward of Dungeness the owner is liable. For damage done eastward of Dungeness he is not. Again, take the Bristol Channel. As above stated, ships bound to or from Bristol are bound to take a pilot up and down Channel; ships bound to or from Cardiff, Newport, or Gloucester are not. A Bristol ship gets into collision with a Newport, Cardiff, or Gloucester ship, both having pilots. The Bristol ship has a remedy, the Cardiff, Newport or Gloucester ship has none."

74. Have you considered the state of the law with regard to two vessels coming into collision; after the case goes into the law courts, the question is not which is in fault, but which is bound to carry a pilot?—That is one of the questions.

75. That is often the main question fought in the law courts, is it not?—Yes; it is often not a fight as to which ship caused the damage, but which vessel was bound to carry a pilot; nor even is it a question of which had a pilot, but whether both having a pilot, one or other was or was not exempt from compulsory pilotage.

76. I think there are some cases bearing upon that point which you could lay before the Committee?—Yes; the litigation becomes almost absurd; the first question under the present state of the law which I have mentioned is (assuming that the pilot was one whom the shipowner was bound to take), was the damage caused by the act of the pilot alone. That is a question most difficult to try. The chief witnesses are the crew of the vessel in which the pilot is, and their interest is to show that the act was the act of the pilot alone. The consequence is a great deal of hard swearing, and litigation without end. I will put in a list of quite recent cases, furnished to me by Mr. Vernon Lushington, now Secretary to the Admiralty, from whom I have received much help on this subject. Here are 13 recent cases, many of which have gone up to the Privy Council, in which the question has been, was the act the act of the pilot alone, or had the master or owner anything to do with it. I do not see that there is any end to that litigation. (*The same was delivered in,* vide *Appendix* (A.), No. 5.)

77. The tendency of the court has been, where possible, to find that the captain or some of the crew is to blame, unless it is clearly shown that the pilot was in fault?—Yes, that is the first evil you have, and you must always have endless litigation on the question, was the pilot, and was the pilot alone, in fault? But then there is the further question, which is still more absurd, was the owner really obliged to employ a pilot or not? Under the Act as it stands, those questions are sometimes really too absurd. There was one case, the case of the "Earl of Auckland," an account of which is given in Parliamentary Paper, No. 455 of 1862, at page 79. Perhaps the Committee would like me to mention the circumstances of that case. The "Earl of Auckland" was in fault; she was in the Thames, and was in charge of a pilot, and the question was, was the owner bound to employ him. She was a home-trade passenger ship, and her owners, the defendants, alleged that Section 354 of the Merchant Shipping Act compelled them to employ a pilot, and that if that section did not do so, an Order in Council had been passed, the object of which was to relieve the vessel from compulsory pilotage; but that the real effect of the conditions in that Order imposed compulsory pilotage upon her. The plaintiffs replied that Section 353 of the Act maintained all the exemptions which were in force at the time the Act was passed, and urged that the maintenance of those exemptions relieved her from the obligation of employing a pilot; and upon this point the case was ultimately decided in favour of the plaintiffs. But another point taken

taken by the plaintiffs and much argued was, that if she was *primâ facie* compelled to employ a pilot, she was relieved from the liability by the certificate of the Board of Trade granted under an Order in Council passed for the purpose. Upon this the other parties replied that the Board of Trade certificate which they had themselves applied for was invalid, because their ship was misdescribed in the certificate. So that as regards this point, the question whether the owners were liable, turned upon the question whether these owners had misdescribed their ship in the certificate which they had themselves obtained from the Board of Trade. Upon that, Dr. Lushington took the very natural, but somewhat unusual, course of writing a letter to the Board of Trade, which I will read. This is the letter to the Board of Trade, written by Mr. Rothery, Registrar to the High Court of Admiralty, which will be found at p. 79 of the Paper referred to: "I am directed by the Right Honourable Stephen Lushington, the Judge of the High Court of Admiralty of England, to send you herewith, for the purpose of its being laid before the Lords of the Committee of Privy Council for Trade, copy of the papers in a case called the 'Earl of Auckland,' which has recently come before him, and of his judgment therein, as reported in the 'Law Times' of the 16th instant, and I am to request you to call their Lordships' attention to the very great confusion which, on a review of the Act of Parliament and the Orders in Council, appears to him to exist on the subject of pilotage."

78. Then there was the more recent case of the "Lion"?—Yes; the "Lion" is reported in the 2nd Law Reports, 1867 to 1869, Admiralty cases, page 102, and the 2nd Law Reports, 1867 to 1869, Privy Council Appeals, page 525. The "Lion" was a steamer which did damage when in the Thames. She had a pilot on board, and the pilot was the person who did the damage. The question, whether she was liable or not, depended upon the question whether she had passengers or not; whether she was subject to the section of the Act which imposed the obligation of carrying a pilot on a passenger ship. The facts appeared to be that the master when in London, on this voyage took his father-in-law and his wife on board, and when he got to Hull he paid the owners 7 *s.* a-piece for them, and under that state of circumstances he alleged that his vessel was a passenger vessel; the judge of the Admiralty Court refused to treat her as a passenger vessel on that ground. The case was actually taken to the Privy Council and argued before their Lordships upon this point.

79. If he could have brought his vessel under the head of a passenger vessel, then he would have been bound to carry a pilot and would have been exempt from liability?—Yes; he put his father-in-law and his wife on board, and when the voyage was ended he paid 7 *s.* a-piece for their passage, or the owner said he did, and alleged this as a reason for not compensating the owners of the ship which his vessel had injured.

80. With regard to the bearing of this exemption of liability upon the general maintenance of compulsory pilotage, I need hardly ask you whether that exemption from liability has been very much approved of by certain of the shipowners?—In the evidence before Mr. Lindsay's Merchant Shipping Committee of 1860, evidence was taken from a number of shipowners with regard to compulsory pilotage; and on the whole the large shipowners were decidedly, with the exception of the steamship owners, in favour of compulsory pilotage. With the permission of the Committee I will read one or two passages from their evidence. Here is the evidence of Mr. Dunbar, one of the greatest owners of sailing ships out of the Port of London. At page 37 of the Appendix to the Report of that Committee, Question 517, he is asked, "What is your opinion of that compulsory pilotage? *A.* I think it a very excellent thing, and I should be sorry to see it done away with. I may state that as we are compelled to take pilots, if I have a pilot on board of a ship, and an accident happens and she runs down another ship, I am completely free from liability; therefore I think that he ought to be well paid for that responsibility. Then again, there is not one English captain in a hundred in a long voyage ship who knows the Channel sufficiently to take his ship up and down. Independently of taking the responsibility off my hands, I do not think that an underwriter will write a ship without a pilot, and the expense of pilotage is not so very heavy. I have a ship of 835 tons; she has a very large draught of water, 22 feet, a very unusual thing; her pilotage upwards from the Downs to Gravesend was 20 *l.*, from which 5 *l.* was taken off because I employed steam. That left 15 *l.*, and all my responsibility was done with when the pilot went on board, unless my crew behaved badly. She went outwards drawing 21 feet, very deep indeed; her pilotage from Blackwall to the Downs was 22 *l.*, and she only took steam a short distance, for which 2 *l.* 16 *s.* came off; that made 19 *l.* 11 *s.* For taking the ship in and out I only paid 34 *l.*, and if I had run down half a dozen barges in the river I should have had to pay for them; whereas the pilot being on board exonerated me, and that is one of the reasons why I think that if the Board of Trade compel me to take a licensed captain of their own examination and approval I ought not to be accountable for his acts and deeds."

81. Will you read Question 516?—"With reference to pilotage it is at present compulsory on the British captain, as you are aware? *A.* Yes." Then there is the evidence of Mr. Beasley, a very extensive merchant and shipowner at Liverpool, in the India and China trades. He is asked at page 181, Question 2345, "You said that there ought to be no compulsory obligation. Do you object to compulsory pilotage? *A.* No, I do not object to that, because I think that it is almost necessary for the protection of property; and another thing is, that under the compulsory pilotage clause you are exempt from certain penalties which the law inflicts upon you. I myself once had a ship in collision with another. It was no fault of mine; the pilot mismanaged her, and having a compulsory pilot on board I was exempt from the consequences of the collision; I think that compulsory pilotage is necessary for the safety of navigation and of property at sea; I would not do away with it; in the case of coasters I would license the masters, as I believe is now being done." Then Mr. Anderson, the chairman of the Peninsular and Oriental Company, one of the greatest steamship owners, is asked at Question 3379, "What is your opinion with regard to pilotage; do you consider that it ought to continue compulsory as at present?—The pilotage is not altogether compulsory; there is permission now for mates and masters

Mr. *T. H. Farrer.*

22 March 1870.

Mr. *T. H. Farrer*

22 March 1870.

masters of ships to pass examinations for pilots, and being found qualified for any particular port, and getting a certificate for it, they may pilot the ship, but I believe that it is very little availed of; for this reason, that when you take a compulsory pilot you get rid of any liabilities for damage done while that pilot is in charge of your vessel; whereas, under the law as it now stands, if you employed your own captain or mate to pilot your ship and anything happened, you would have to pay the damage for it. I think that that is the consideration why the privilege of masters and mates piloting their own ships is very little availed of."

82. You have already told us that the masters of vessels can obtain certificates which, in fact, will exempt them from the necessity of carrying a pilot?—Yes. In the Parliamentary Return which has just been laid before the House will be found a list of all the certificates now granted to masters and mates of different vessels. There are a great many granted in some ports, but it is probable that if this law of liability were different from what it is there would be a much larger number.

83-84. Will you now refer the Committee to the law of the United States upon the subject?—We have ascertained the law in several foreign countries upon the subject. In Canada it appears that they have decided that the shipowner is not free from responsibility, though his ship is in the charge of a pilot; that will appear by Stuart's Vice Admiralty cases, Lower Canada, 1858, in the case of the "Lord John Russell." Then in the case of the United States we wrote to the Foreign Office to ascertain from the United States Government what their laws were. I will put in the answer that was received, which is a very doubtful one, and Mr. Seward said that the subject was of so much importance that he thought it would be necessary for them to bring it before Congress. (*The same was handed in*, vide *Appendix* (A), No. 6.) Since then there has been a case tried in the Supreme Court of the United States, in the case of the ship "China," belonging to the Cunard Company. It is a case which goes most fully into the whole subject. The ship had done damage in New York pilotage waters, she was in charge of a New York pilot, and under the New York statutes the ship was obliged either to take a pilot or pay for one. There were two questions argued in the court: First, whether she was subject to compulsory pilotage, and if so, whether she was liable for the damage done. The court went very fully into these points. They differed upon the question whether she was bound to take a pilot or not. The majority held that the law compelled her to take a pilot, but they were unanimous that, whether she was compelled to take a pilot or not, she was liable for the damage done. They discussed the English cases which I have referred to at very great length, and they came to the conclusion that reason and justice required that the ship should be liable, even though in charge of a compulsory pilot.

85. That was the decision of the Supreme Court of United States?—Yes; I will put it in. (*The same was delivered in*, vide *Appendix* (A), No. 7.) It is an instructive judgment giving the whole of the English law. Mr. Justice Swayne says, "This survey of the English adjudications warrants several observations. Lord Stowell, overlooking the statute, refused to recognise the principle of exemption. He held the true rule of law to be that fault created liability, notwithstanding that the pilot was taken upon compulsion. Sir John Nichol made a persistent effort to get rid of the statute by giving the jurisdiction clause a construction which annulled the operation of the exemption in the Admiralty Court. Dr. Lushington and the Privy Council have held that the exemption clause is to be strictly construed, and have given it a construction so narrow, as greatly to limit its operation and impair its efficacy; while Sir Robert Phillimore pronounced its working in the Admiralty Court 'fruitful of injustice,' and more than intimates that it is contrary to the fundamental principles of natural right. These results furnish little inducement to us to establish the principle in our jurisprudence. The question is not a new one in this country. It arose as early as the year 1800, in Bussey *v.* Donaldson, 4 Dallas, 206. In that case, the court said, 'The legislative regulations were not intended to alter or obliterate the principles of law by which the owner of a vessel was previously responsible for the conduct of the pilot, but to secure in favour every person, strangers as well as residents, trading to our port a class of experienced, skilful, and honest mariners to navigate their vessels safely up the bay and the river Delaware. The mere right of choice is indeed one, but not the only reason why the law in general makes the master responsible for the acts of his servant; and in many cases where the responsibility is allowed to exist, the servant may not, in fact, be the choice of the master.' Williamson *v.* Pierce, 4 Mart. N. S. 399; Yates *v.* Brown, 8 Pick. 23; and Denison *v.* Seymour, 9 Wend. 1, involved the same principle, and were decided in the same way. In the case of 'The Creole,' decided by Mr. Justice Grier on the circuit, in the year 1853, 2 Wall. Jr. 485, the subject underwent a learned and thorough examination, both by counsel and the court. The result was the same as in Bussey *v.* Donaldson. It appears by that case that Mr. Justice Swayne had ruled the point in the same way in his circuit; no American adjudication to the contrary has been brought to our attention. The question is now for the first time presented in this court. The New York statute creates a system of pilotage regulations; it does not attempt, in terms, to give immunity to a wrong-doing vessel. Such a provision in a State law would present an important question which in this case it is not necessary to consider. The argument for the appellants proceeds upon the general legal principle, that one shall not be liable for the tort of another imposed upon him by the law, and who is therefore not his servant or agent (15 East, 189; 4 M. and S. 77; 6 B. and C., 657; 12 Ad. and E., 737; 4 Exch., 244. The reasoning by which the application of this principle to the case before us is attempted to be maintained, is specious rather than solid. It is necessary that both outward and inward-bound vessels, of the classes designated in the statute, should have pilots possessing full knowledge of the pilot grounds over which they are to be conducted. The statute seeks to supply this want, and to prevent as far as possible the evils likely to follow, from ignorance or mistake, as to the qualifications of those to be employed, by providing a body of trained and skilful seamen, at all times ready for the service, holding out to them sufficient inducements to prepare themselves

selves for the discharge of their duties, and to pursue a business attended with so much of peril and hardship. The services of the pilot are as much for the benefit of the vessel and cargo as those of the captain and crew. His compensation comes from the same source as theirs. Like them he serves the owner and is paid by the owner; if there be any default on his part the owner has the same remedies against him as against other delinquents on board. The difference between his relations and those of the master is one rather of form than substance." Then he goes on to say, "The remedy of the damaged vessel, if confined to the culpable pilot, would frequently be a mere delusion. He would often be unable to respond by payment, especially if the amount recovered were large. Thus where the injury was the greatest, there would be the greatest danger of a failure of justice. According to the Admiralty law, the collision impresses upon the wrong-doing vessel a maritime lien. This the vessel carries with it, into whosesoever hands it may come; it is inchoate at the moment of the wrong, and must be perfected by subsequent proceedings. Unlike a common-law lien, possession is not necessary to its validity; it is rather in the nature of the hypothecation of the civil law; it is not indelible, but may be lost by laches or other circumstances. The 'Bold Buccleugh,' 7 Moore, P. C., 284; Edwards *v.* The steamer 'R. F. Stockton,' Crabbe, 580; the 'America,' 16 Law Rep., 264; the 'Lion,' Law Rep., November 1868; Ad. & Ecc., 107. The proposition of the appellants would blot out this important feature of the maritime code, and greatly impair the efficacy of the system. The appellees are seeking the fruit of their lien; all port regulations are compulsory. The provisions of the statute of New York are a part of the series within that category. A damaging vessel is no more excused because she was compelled to obey one than another. The only question in all such cases is, was she in fault? The appellants were bound to know the law; they cannot plead ignorance. The law of the place makes them liable. This ship was brought voluntarily within the sphere of its operation, and they cannot complain because it throws a loss upon them rather than upon the owners of the innocent vessel. We think the rule which works this result is a wise and salutary one, and we feel no disposition to disturb it."

86. I think there is a Bill now before the New York Legislature to abolish compulsory pilotage in that State?—That I am not aware of.

87. Will you now refer to the French and Belgian law?—From the judgment in the case of the "Halle," extracts from which I will put in (*the same was delivered in*, vide *Appendix* (A), No. 8), reported in Law Reports, Admiralty and Ecclesiastical, page 3, it will be seen that the Belgian law is the same as the United States law.

88. And the French law also?—Yes, we have ascertained that from the adviser of the French Embassy in Paris. I will put in his opinion. (*The same was delivered in*, vide *Appendix* (A), No. 9.)

89. The North German law is the same as ours, is it not?—Yes, according to a translation which I have here; the clause runs thus: "When the ship is in charge of a pilot (where pilotage is compulsory), and the crew have performed the duties required of them, the owner of the ship is then not responsible for the collision caused by the pilot." The practice of the English Royal Navy is very different. The rules issued and enforced by the Board of Admiralty will be found given in the 7th Section of the Navigation and Pilotage Regulations, and it is as follows: "The captain is to order everything that relates to the navigation of the ship to be performed as the pilot shall require; but, nevertheless, he and the master (that is the navigating officer) are to attend particularly to his conduct, and if, from his or his mate's observations he shall have reason to believe the pilot not qualified to conduct the ship, or that he is running her into danger, he is to remove him from his charge, and to take such measures for the safety of the ship as circumstances may require, noting the time of the pilot being so removed in the ship's log-book; and if the ship be damaged at any time through the ignorance or negligence of the pilot, but where a common degree of attention on the part of the captain and master would have prevented the disaster, those officers will be deemed to have neglected their duty." Not long since there was the case of the "Vigilant," which was reported in the papers at the time, and which it is worth while to refer to, to show the spirit in which the Admiralty have construed and applied that regulation. "The 'Vigilant' was run on the Gunfleet Sand on the 22nd of October 1862. In that case the Admiralty notified their decision in the following terms: 'My Lords observe that in a well-known Channel, within a mile of the Gunfleet Light, and in the immediate neighbourhood of two buoys, the 'Vigilant' was run upon a dangerous shoal, and narrowly escaped being totally lost. My Lords are aware that there was a pilot on board, but his presence did not absolve the commander and master from the duty of ascertaining, by bearings, and by reference to the sailing directions, that the ship was not hazarded. Admiral Johnstone is, therefore, to acquaint Lord Elphinstone and Mr. Phillips, the master, that my Lords consider their conduct in this matter to have been highly reprehensible, and deserving of their Lordships' severe censure.' And, in reply to a protest from Lord Elphinstone against this censure, on the ground that the vessel being in charge of a duly authorized pilot, and one of considerable experience, he deemed it his duty to order everything relating to the special act of navigating a ship to be performed as the pilot required, the Admiralty replied, that "the 'Vigilant' was run on shore while under the charge of the pilot, under circumstances which afforded to the commander and master full opportunity of ascertaining whether the course pursued was a safe one. They did not take the measures in their power for that end; they were, therefore, guilty of the neglect of duty pointed out in the 7th article of the 19th chapter of the instructions, and the Board of Admiralty could find nothing on Lord Elphinstone's statement to clear them of that neglect." In this case the error committed was wholly a pilotage error. Had it occurred with a merchant ship, I think that, according to the decisions I have read from our law reports, the master would have been bound not to interfere with the pilot.

90. The effect of the Admiralty regulations is this, that the captain of a man-of-war is not permitted to let the pilot take the absolute command of the vessel out of his hands?—Quite so.

91. And is in fact to condemn the practice which has grown up to some extent in the mer-

Mr. *T. H. Farrer.*

22 March 1870.

chant service, in consequence of this exemption of liability?—Quite so.

92. Will you now read to the Committee that portion of the Report of Mr. Lindsay's Committee of 1860 which bears upon this question?—The Report of Mr. Lindsay's Committee, page 20, is as follows: "The advantages and disadvantages of a compulsory and voluntary system of pilotage have been brought prominently under the consideration of your Committee; shipowners engaged in the long voyage trades generally express themselves satisfied with the existing system. They suggest, however, that some of the minor regulations might be modified with advantage. This class of shipowners, in the confidence that when a pilot is on board their ships they are practically exempt from liability in the event of collision, cheerfully submit to bear the charge of compulsory pilotage; they apprehend if the system was abolished that pilots would not be disposed in bad weather to make their appearance, and that consequently ships might be in danger when approaching the coast; but the proprietors of small ships engaged in the over-sea trade, complain of the heavy charges exacted for pilotage, especially in cases where their vessels are compelled, through stress of weather, to put into various ports in the Channel, or to anchor in roadsteads, where the services of a pilot are not required. The witnesses from Liverpool were in favour of maintaining the existing system of compulsory pilotage, and the establishment of pilots at that port is evidently conducted in a satisfactory manner; on the other hand, on the east coast of the kingdom, especially at Newcastle and Sunderland, a very great desire is expressed that it should be altogether optional with the master of a vessel to employ a pilot. Under a local Act this latter principle, so far as British ships are concerned, has been in operation during the present century in the Newcastle district, but pilotage dues are still exacted from foreign vessels even when the services of pilots are not required.

93. I believe that has since been repealed?—Yes, by the Harbours and Passing Tolls Act, 1861. Then the Report of the Committee of 1860 goes on to say, at page 21, "It appears that in the pilotage district of Newcastle, where the voluntary system prevails, and where the navigation is difficult and at times dangerous, no inconvenience results from the absence of any legal compulsion to employ a pilot; neither is the demand for, nor the supply of, duly licensed pilots in any way diminished by the practice which prevails; on the contrary, the supply is much greater than it is at most other places where pilotage is compulsory. Whether the vessels frequenting that pilotage district are in ballast, forming nine-tenths of the arrivals, or whether they are laden, the exception of entering or leaving the several ports without a pilot is not one in a thousand services. The success which has attended the working of the voluntary system in the north-eastern ports naturally leads the witnesses of that part of the coast to urge the adoption of the voluntary system throughout the whole of the United Kingdom. They dwell with great force and justice upon the anomalies arising from the 379th Clause of the Merchant Shipping Act, by which ships arriving from the westward of Boulogne are subject to pilotage coming into London, while ships from the other side of Boulogne, to the northward, embracing the whole northern and north-western shores of Europe, as far as Archangel and St. Petersburg, are left free to employ a pilot or not at their discretion. The services of a pilot are, however, almost invariably resorted to, and, therefore, the question seems narrowed to one bearing, mainly upon the expediency of adopting an uniformity of system." Then the Report refers to several local cases; and goes on, page 22: "As regards the main question of voluntary or compulsory pilotage, your Committee, after weighing most attentively all the arguments upon the subject, have arrived at the conclusion that a system of voluntary pilotage might be safely established in most parts of the empire, due consideration being had to the interests of those parties who have invested capital on the faith that the compulsory system would be maintained. Your Committee have had the most convincing evidence that where the system of voluntary pilotage prevails, the supply of pilots is more abundant, their efficiency is in no way inferior, and the rates generally lower than at any of the ports where compulsory pilotage is still in force. The arguments, therefore, which have been used in favour of the existing system, and the fears which have been expressed in regard to obtaining at all times, and under all circumstances, a sufficient supply of pilots, must give way to the facts which have been adduced in evidence; for instance, it appears that at Cork, where pilotage is voluntary, there are no less than 103 licensed pilots, whereas, at Falmouth, where quite as many vessels call for orders, and where pilotage is compulsory, there are only 36 pilots, who appear to be less vigilant, and who demand much higher rates for their services, although 'it is an open place, free from any danger.' Your Committee would further observe that where pilotage is compulsory, it is generally the practice to limit the number of pilots, to prevent them from accepting a less sum than the fixed rates, and to make it compulsory on each pilot to take his turn, and to accept whatever employment may offer. If the obligation on the ship to employ a pilot were done away with, the corresponding limitations and obligations of the pilots would also be done away with, and the probable consequence would be, that more men would offer, and that the supply would adapt itself to the demand. The general regulations which it would be necessary to frame, under the authority of Parliament, in order to carry into effect the requisite change, would be so simple as not to create any difficulty. Your Committee are of opinion that the pilots should be left under the local regulations of the existing pilotage authorities, who would fix the rates and the qualifications of the pilots to be licensed, by the difficulties of the navigation and the wants of the place, subject to the approval of the Board of Trade. Your Committee do not anticipate that any difficulty respecting the law and practice of insurance will accrue from the change; the law will thenceforth leave all parties at liberty to form a free contract, and the merchant, the underwriter, and the shipowner will be competent to adjust their policy of insurance upon what terms they please. All experience proves that masters will avail themselves of the services of a qualified pilot in any navigation which is in the slightest degree dangerous; and the existing exemptions in respect of coasting vessels, which give rise at present to no difficulties, justify the anticipation that if the pilotage of

of the foreign trade is thrown open, commerce and shipping will be relieved of restrictions which now, in many cases, fetter their efforts."

94. In the passage which you have read I observe that the Report is confined to the expression of an opinion that compulsory pilotage may be abolished in most parts of the country?—Yes.

95. Can you explain the introduction of those words, "in most parts"?—It tells its own story; the Report was drawn by Mr. Lindsay, and in the draft the passage referred to applied to the whole empire; the words "most parts" were subsequently introduced. But the original report with this exception was adopted by the Committee, and the whole argument tends to the entire abolition of compulsory pilotage.

96. Those words were introduced, after a division, by Mr. Horsfall?—Yes.

97. What was the majority in the division upon that point?—"Paragraph 98, read 2°.—Amendment proposed (Mr. Horsfall), line 4, to leave out the words, 'in every part,' in order to insert the words, 'in most parts.'—Question put, 'That the words proposed to be left out stand part of the paragraph.'—The Committee divided: Ayes, 3; Mr. Taylor, Mr. Lindsay, Mr. Dalglish. Noes, 7; Mr. Somes, Mr. Liddell, Mr. Horsfall, Lord Lovaine, Mr. Crawford, Mr. Willcox, Mr. Alderman Salomons."

98. I believe since that Report was presented to Parliament, there have been two changes in the law of some importance with reference to pilotage; first, the Act of 1861, which affected the Bristol Channel pilotage, and which repealed compulsory pilotage so far as Gloucester, Newport, and Cardiff were concerned; and secondly, the Act of 1862, which gave power to the Board of Trade to exempt particular places by Provisional Orders?—Yes, that is so.

99. Both tending in the direction of the abolition of compulsory pilotage?—That is so, as regards general legislation. There is the Act of 1862, the 25th and 26th Vict. c. 63, s. 39, paragraph 4, but that Act has not been acted on at all. Then there is another clause, Section 41, which provides that, "The masters and owners of ships passing through the limits of any pilotage district in the United Kingdom on their voyage between two places, both situate out of such districts, shall be exempted from any obligation to employ a pilot within such district, or to pay pilotage rates when not employing a pilot within such district, provided that the exemption contained in this section shall not apply to ships loading or discharging at any place situate within such district, or at any place situate above such district on the same river or its tributaries." This clause has not had the full effect intended. Mr. Milner Gibson's intention was, that where ships call, as at Falmouth, for orders, they should be exempt from compulsory pilotage, and that where ships put in from distress into ports of the United Kingdom, they should also be exempt from compulsory pilotage. I do not know that there have been any decisions upon these points, but the opinion of the law officers was, that the clause did not apply to the case of a ship calling for orders, because until she got her orders, she was not upon a voyage to any other port; and also if a ship came in in distress, and took out a single bale of her cargo, she was still subject to compulsory pilotage, and almost all vessels that put in in distress, are forced to land something in order to repair.

100. Then there was the Harbour and Passing Tolls Act of 1862?—That did away with everything in the nature of a differential charge or duty, and in doing so it swept away the last remaining obligation upon ships in the old district of the Newcastle Trinity House to carry pilots.

101. That is as to foreign vessels?—Foreign vessels.

102. That placed them in the same position as British vessels which had long been exempted?—Yes; but practically most foreign vessels have also been exempt for a long while under the Reciprocity Treaty Act.

103. Then there was the Bristol Channel Pilotage Act?—Yes.

104. We have now gone through all the general provisions with reference to pilotage; I have now to ask you a few questions with regard to the provisions affecting local pilotage districts. You have already put in a map, which points out the various districts, under the heads of compulsory and non-compulsory districts, and I need hardly ask you whether each compulsory district has its own set of rules, and its own exemptions, differing one from the other?—It is so, and the great variety of different regulations makes it exceedingly difficult for the Board of Trade to give any complete or full information about the special circumstances. There are certain returns made under the Merchant Shipping Act, but we have found that these, like other returns which are not regularly checked and tested, are often exceedingly unsatisfactory. In order to obtain more accurate information for the purpose of the present Bill, we have called for returns, which have been laid before Parliament, and which are in the hands of honourable Members; in Parliamentary Paper, No. 88, Session 1870, to which I have referred before, and we have also had this map made; but at the same time I confess that I am not myself entirely satisfied with their complete accuracy, and I have no doubt that the Committee will get far more information from the authorities than we can give.

105. Will you indicate to the Committee what are the compulsory districts, the number of pilots, and the different exemptions with regard to compulsory pilotage; in that return, the Deal and Dover pilots are grouped together under the head of London?—Yes.

106. The Trinity House district extends over a considerable extent of the coasts, does it not?—The Trinity House district extends, you may say, generally speaking, over the whole of the coast from where the Hull Trinity House district ends near the Wash, all the way round (with certain exceptions in the Bristol Channel) to Anglesea, and under the Act, they have power to appoint sub-commissioners even in other districts where no special provision is made for the appointment of pilots.

107. North of the Trinity House district on the eastern coast comes the Hull district, and north of that to a great extent the pilotage is free, is not that so?—A few years ago it was under the Newcastle Trinity House; but by a provisional order under the Act of 1862, Hartlepool, the Tyne and Wear, Sunderland, have each of them had separate districts created where they have their own pilots. It should be stated

Mr. *T. H. Farrer.* 22 March 1870.

that there is a distinction between the London district of the Trinity House, and the out-port district of the Trinity House. In the London district the Trinity House manage it themselves directly, and in an out-port district on the coast, they appoint sub-commissioners. They themselves appoint the pilots, but the sub-commissioners examine them, and do the local work.

108. Westward of the Trinity House district there comes the Bristol Channel district, which is partly subject to compulsory pilotage and partly not; is not that so?—Yes; the Bristol Channel district was long the subject of great contention. Most of the Bristol Channel was subject to the Bristol Town Council, who managed all pilotage there, and certain local pilotage in the newer ports were managed by the Trinity House through sub-commissioners. For many years one of the greatest difficulties which the Board of Trade had about pilotage was the endeavour to organise a system of pilotage for the Bristol Channel. The attempt was made at one time to make the Trinity House the supreme authority. At another time the Board of Trade tried to get the different ports to agree to have one common pilotage board for their common waters; but all those attempts failed, and eventually, in 1861, Newport, Cardiff, and Gloucester obtained a Bill, by which they became entirely free from Bristol, doing away with compulsory pilotage.

109. You have already stated the exemptions in the case of the Trinity House for compulsory pilotage which are contained in the Merchant Shipping Act of 1854. I believe, in the case of the other districts which are subject to compulsory pilotage, the exemptions are very different?—They are different in all cases; it is impossible to state them in any general form, but the exemptions from compulsory pilotage in the London and in the out-port districts of the Trinity House are contained, as I said before, in Section 379 of the Merchant Shipping Act of 1854.

110. They are exceedingly numerous, are they not?—They are very numerous. There are other exemptions besides those which are mentioned in the 379th section of the Act in the case of the Trinity House. First, I should mention that there was one considerable extension of the exemptions in this 379th section of the Merchant Shipping Act; under the old Act of 6 Geo. 4, c. 125, the exemption of ships trading to Boulogne, or any place in Europe north of Boulogne, was confined to the London district of the Trinity House; it did not extend to all their out-port districts. In the Act of 1854 it was extended to the out-port districts of the Trinity House. Then there is a very large exemption in the case of the Trinity House of London, as will be seen by this Return, in the case of masters and mates who pilot their own ships. The Trinity House of London have always acted freely and liberally under this enactment, and it will be seen from this Return that in 1869 there were 189 certificates of masters and mates renewed, and 51 granted. Then in addition to that the Trinity House have made various exemptions by Orders in Council. In that Paper which I have frequently referred to, No. 445 of 1862, pages 78 and 79, the Trinity House exempt all ships navigating in ballast, from any port or place in the United Kingdom to any other port or place in the United Kingdom, when not carrying passengers. That was done by an Order in Council passed in February 1861. There had previously been partial exemptions of ships in ballast, but eventually, by that Order in Council, all ships proceeding in ballast from one place in the United Kingdom to another within the districts of the Trinity House, were exempted. Then by another Order in Council, of the 16th of July 1857, which will be found in the same Parliamentary Paper, at page 16, the Trinity House extended their system of examination of masters and mates by examining them not only for a particular ship, but for any ship belonging to the same owners, and of no greater draught of water than that of the ship mentioned in the certificate.

111. But still that system did not apply generally?—Not generally.

112. So that a master who has obtained a certificate of this kind from the Trinity House is restricted to vessels belonging to a particular owner?—Vessels belonging to a particular owner, and of no greater draught of water than the one for which he is examined. The case of the "Earl of Auckland" turned upon the question whether one of these certificates, under these circumstances, was valid or not; the ship having been held by one owner in trust for another, the real owner had, so far as I remember, been put upon the certificate instead of the trustee.

113. I think there was one further exemption in the case of the Yarmouth Roads?—I mentioned the case of the "Martha Alida," where a Dutch captain had to pay very large expenses at Hull for not having taken a pilot in the Yarmouth Roads; and in consequence of that and many other cases the Elder Brethren made a rule reducing the pilotage in the Yarmouth Roads to such a nominal sum that it is not worth the while of the pilots to take advantage of their power to take the ship.

114. Will you now explain to the Committee the various systems of pilots working in and out of London?—It is a very difficult thing to understand it, and I am not quite certain that I understand it myself, but as far as I can make out there are seven different classes of pilots that pilot ships in and out of London. In the first place there are pilots who were licensed before 1854 to pilot vessels all the way between London and the sea. Then, in 1854, when the Merchant Shipping Act passed, the shipowners and the insurers of London desired that the two classes of pilots should be separated, and that there should be one class of pilots for the river above Gravesend, and another class of pilots for the river below Gravesend; and the Act of Parliament consequently requires the Trinity House, since the passing of that Act, to license pilots accordingly. Section 370 of the Merchant Shipping Act of 1854, which enables the Trinity House to license pilots for the London district, contains this restriction: "So nevertheless that no pilot shall be hereafter licensed to conduct ships above and below Gravesend;" consequently, since 1854, one set of pilots have been licensed for the river above Gravesend, and another set of pilots for the river below Gravesend, so that you have first the old pilots who were licensed to pilot vessels all the way.

115. Those are dying out, are they not?—Yes.

116. And I believe only 50 now remain?—I believe that is about the number. Then there are the pilots who have been licensed since that time

time between Gravesend and the sea; then there are the pilots who have been licensed since that time between London and Gravesend, who receive general licenses, and are general pilots of the Trinity House; then there are pilots for the North Channel who are not licensed outwards; and there are pilots for the North Channel who are not licensed inwards. In 1853 the difference between the inward and outward pilots for the South Channel (that is, the difference between the old Trinity House pilots and the old Cinque Port pilots) was done away with, but the difference between the inward pilots and the outward pilots for the North Channel was not done away with. Then, sixthly, there are a class of pilots called home trade passenger ship pilots, and the way in which those have cropped up is this. There were certain home trade vessels with passengers which were not in the habit of carrying licensed pilots before the Act of 1854, and those ships by the 354th Section of the Act of 1854 were afterwards obliged to carry licensed pilots; and it proved to be the case that the Trinity House had not sufficient of their own pilots to pilot those ships. A certain number of Thames watermen who, though not licensed pilots, had previously been in the habit of piloting ships were specially licensed for the purpose; they took the same rates of pilotage as the regular pilots, but they did not subscribe to the pilotage fund, and had no benefit from it. Then the seventh class are watermen who are not licensed at all, but who pilot a large proportion of the ships between London and Gravesend; I do not feel sure that they do not pilot half the ships between London and Gravesend; they are watermen belonging to the Watermen's Company and freemen of that company, but they hold no license as pilots.

117. Every vessel which comes up to London takes a pilot, whether he is licensed or unlicensed? —Yes, I believe so.

118. I believe every vessel from 20 up to 1,000 tons if it does not take a licensed pilot takes a waterman from Gravesend?—Yes, almost every vessel, if not every vessel. Then, besides those I have mentioned, there is another class of unlicensed seafaring men who pilot many ships below Gravesend, so that on the whole there are eight different classes of men in different positions as regards the law, but all of whom pilot ships on the Thames.

119. Although the Thames may generally be called a compulsory pilotage district, yet a considerable portion of these pilots are employed upon work which is not compulsory, is not that the fact?—By far the greater number of them are employed on work which is not compulsory.

120. Take the North Channel and the Thames in respect of which vessels going to the North of Europe generally make their voyage, and in respect of which voyage vessels are now exempt from carrying a pilot, there is a complete system of pilots established for the purpose of piloting those vessels, is there not?—Yes, there is a complete system of licensed pilots; no ship comes in from the north of Europe, by Orfordness to Gravesend without a licensed pilot.

121. Although they are exempt under the Act? —Yes.

122. And the same vessels coming up from Gravesend to London, also, they take a licensed pilot though they are still exempt under the Merchant Shipping Act?—Yes, all of them. I will put in the Order in Council under which the home trade passenger pilots are licensed.

123. You have already said that even vessels which are not bound to carry pilots, and which do not, in point of fact, take licensed pilots, almost all, as a rule, take watermen at Gravesend?—So far as we have learnt, they all take some one to help them up from Gravesend.

124. At law, however, a licensed pilot is entitled to supersede a waterman?—A licensed pilot is entitled to supersede a waterman. But it seems to have become a sort of custom amongst them that whilst a licensed pilot does supersede a waterman on board vessels subject to compulsory pilotage, he does not supersede him upon vessels which are not subject to compulsory pilotage.

125. I believe the number of licensed pilots from Gravesend up to London is 72?—Yes.

126. Seventy-two who are exclusively licensed for those districts?—Yes.

127. And I believe there are some 50 others licensed from London to the sea, irrespective of Gravesend?—Yes.

128. Below these licensed men there are something like 300 or 400 watermen acting as pilots to vessels which are not obliged to carry licensed pilots; under that system of licensed pilots there has grown up an extensive system of unlicensed pilots whose services are voluntary? — Yes; licensed and compulsory, licensed not compulsory, and not licensed at all.

129. But even with these watermen there is to some extent a monopoly, inasmuch as no person can become licensed to act as a waterman except through the Thames Conservancy; is not that the fact?—Through the Watermen's Company; not the Thames Conservancy.

130. And after undergoing a process of apprenticeship?—Yes. In the course of the last few weeks, we have had applications from all these classes, each against the other; each one who has the protection seeks to make the protection stronger against the other, and each who has not protection seeks to do away with the privileges of the other. The first class of old pilots, licensed before 1854, to pilot vessels all the way between London and the sea, wish very much stronger protection against unlicensed men; they wish to have the presence of a man who does not belong to the crew on board the vessel, made *primâ facie* evidence of a crime, so that they may prosecute the captain of the vessel for having him on board. Then the pilots who are licensed between Gravesend and the sea, but who are not licensed between London and Gravesend, seek to have their licenses extended from Gravesend to London; whereas the pilots who are licensed between London and Gravesend complain bitterly of the pilots who are licensed all the way from London to the sea. I will put in the Papers that these different persons have sent to us. (*The Witness delivered in the Papers*, vide *Appendix* (A.), Nos. 10, 11, 12, 13).

131. These various classes of licensed pilots are the result of regulations made by the Trinity House, are they not?—Yes, and of the Acts of Parliament. First of all there was an amalgamation of the old Trinity House pilots and the Cinque Port pilots, who were two classes. Some of the Cinque Port pilots still exist. Then since the Trinity House have taken the thing in hand, they only license one class of pilots for the waters from Gravesend to Dungeness by the South Channel, whether the ships go in or out. By

Mr. *T. H. Farrer.*

22 March 187.

the Act of 1854, the Trinity House are obliged to make a distinction between the pilots above Gravesend and the pilots below Gravesend, and one class of pilots come to us, begging that that distinction may be done away with, and another class come to us wishing that it may be extended.

132. With the exceptions you have mentioned, the distinction between the different classes of pilots depends upon how the Trinity House see fit to alter them from time to time?—The home trade passenger ship distinction is one that arises from the acts of the Trinity House.

133. But the distinction between the North Channel pilots and the Deal and Dover and South Channel pilots may be done away with by them?—Yes, but they are licensed for different waters. The pilots from Orfordness to London wish to have a license from London to Orfordness, as well as from Orfordness to London. Then the sixth class, the licensed pilots for home trade passenger ships, no sooner got their licenses from the Trinity House than they petitioned the Trinity House to license no more masters and mates, in order that the pilotage of the home trade passenger ships might be reserved to them; that will be found in Parliamentary Paper, No. 455, of 1862, at page 48. Then the seventh class, the unlicensed watermen, state to us that they are very anxious to have entire free trade in pilotage, and in this they certainly have a great deal to say for themselves. But then they do not wish to have the privileges of the Watermen's Company done away with. As regards their pilotage services, in Parliamentary Paper 445, of 1862, at pages 49 and 50, you will find they state that their ordinary charge with a screw collier, drawing from 14 to 18 feet of water, was from 1 *l.* to 1 *l.* 5 *s.*; and as far as I can make out from the Trinity House rates for the licensed pilots the charge for such a vessel would run from 3 *l.* 14 *s.* to 5 *l.* 15 *s.*, with a deduction of one-fourth as she has steam power; so that there is a difference between 1 *l.* 5 *s.* and 2 *l.* 16 *s.*, between the charge of the unlicensed watermen and the charge of the licensed Trinity House pilots. I will put in the Order in Council fixing the rates of the London pilots. (*The same was delivered in*, vide *Appendix* (A.), No. 14.) It is not very wonderful, under those circumstances, that the screw colliers and others should prefer to employ the watermen.

134. But at law a licensed pilot has still the right to supersede a waterman?—Yes.

135. In point of fact the custom has grown up for the licensed pilots and the watermen to keep to their own class of business?—Yes, and one reason of that is, that the licensed pilots find it very hard to supersede the watermen, where the pilotage is not compulsory.

136. I must now ask you a question with regard to Liverpool. I believe that at Liverpool the exemptions are comparatively few?—I think the exemption under the Liverpool Pilotage Act extends to coasters under 100 tons, or in ballast, and they must have been in the coasting trade for six months. The first exemption is under the Liverpool Act, the Mersey Docks Consolidation Act of the 21st and 22nd Victoria, chapter 92, sections 130 to 139, and the restriction that they must have been in the coasting trade for six months is under a bye-law, confirmed by an Order in Council of the 26th of January 1861; it is bye-law 148, which I put in. (*The same was delivered in*, vide *Appendix* (A.), No. 15.)

137. Mr. *Price.*] That is to prevent your assuming a vessel to be a coaster when she is not one?—Yes, so I suppose. Our knowledge of local pilotage is extremely fragmentary, so that we only hear of cases that happen to be brought before us, but here is a letter which was written from Runcorn to the Board of Trade, on the 19th February 1870, by a Mr. Steele. It is as follows:—

"Sir,—I have read with very great interest and pleasure the introduction of a Bill by the present Government, having for its object the *abolition of compulsory pilotage*. It will not be a matter of surprise that the honourable Member for Liverpool, belonging to the old school of protection, should request it for a certain number of his constituents, *i. e.*, the Liverpool pilots. I ask your indulgence to say a few words on this very important subject.

"During a period of nearly 20 years I have, in the Customs, been a tide and measuring surveyor of vessels; in that capacity I have been brought into almost daily intercourse with masters of vessels; in 1866 I retired on superannuation, and from that date I have been engaged in business here (as a ship and commission agent), which possesses a very considerable coasting trade. I am, therefore, I may say, almost daily engaged in business transactions with masters of vessels constantly trading to the port of Liverpool and to the Mersey. I am, therefore, enabled to give an opinion of the feeling of many ship masters, expressed to me personally, who from the nature of their calling are precluded from giving evidence on this important subject—compulsory pilotage, and on whose behalf I beg very earnestly to address you, *i. e.*, the masters of coasting vessels trading to and from the River Mersey, who have expressed to me the grievous hardships under which they suffer from the present pilotage regulations of the port of Liverpool. A large number of coasting vessels find owners in ship masters, if I may use the expression, 'of the old school,' who, energetic and frugal in their habits in their seagoing days, but for want of education, which they could not possibly attain in their early days, could not pass the improved qualification, and consequently retire from the sea with their little savings invested in a small share of one or more vessels; probably their vessels remain (for they would not pay to be broken up) monuments of antiquity.

"I will suppose a coaster of 100 tons register, with a draught of 13 feet, carrying a cargo of 160 to 170 tons; and this brings me to the existing regulation of the present pilotage charges at per foot. I shall be enabled to show you it is not a hardship only, but I think I shall prove it to you to be a monstrous injustice, pressing heavily on the coasting vessels of this country, who very largely (I do not mean steamers) contribute to the supply of seamen to the Royal Navy, and from whom our Naval Reserve is principally drawn, &c., is suffering at the present moment from the keenest possible competition, not only from our railways, who offer very low rates for long distances, but from our own screw steamers; and the time is fast approaching, if not already at hand, when the Government of this country should be willing to afford them all possible relief. I have already alluded to the pilotage charge by the foot being, I think it will be admitted,

admitted, a hardship. All benefits from shipping is derived from her freight, and all charges thereon should be regulated, as far as practicable, upon a just and equitable basis for all parties. An old vessel of 100 register tons to carry 170 tons, would draw 13 feet. I will suppose her to go foreign on a freight of 18 *s.* per ton; she pays for this Liverpool pilotage, say 10 *s.* per foot, 6 *l.* 10 *s.*, her freight 150 *l.*; this is a vessel of the old class. A modern built vessel, carrying 320 tons, the same rate of freight, 18 *s.* per ton, with one extra hand only, on a draught of 12 feet, pays 6 *l.* pilotage, and makes a freight of 290 *l.* It will thus be seen the vessel paying 10 *s.* less pilotage makes 120 *l.* additional freight; this would be obviated if the pilotage was charged upon the equitable principle of her register tonnage. Under the present arrangement, the large and wealthy shipowner of a vessel of 1,600 and 2,000 tons, drawing 16 to 18 feet, pays little more in pilotage than the ship-owning mariner.

"The honourable Member for Liverpool should be quite sensible that a Non-compulsory Pilotage Act would fall completely harmless on the pilots of the port of Liverpool; that no foreign-going captain, on account of his incapacity properly to navigate his vessel along the coast, would dream of making the attempt of dispensing with a licensed pilot, nor yet would his owners permit. Whereas, as regards coasting vessels, the legislative enactment dispensing with compulsory pilotage would be a very great boon indeed. I have listened with very great regret to the complaint of masters of coasting vessels, for I assure you, Sir, it is viewed in no more favourable light by them than a great injustice.

"It cannot, I think, be more favourably considered when masters and owners of coasting vessels, regular traders to this port, well acquainted with the channel, are compelled under cover of the Compulsory Pilotage Act, to take an officer on board to whom they have the greatest possible objection. The pilot's apprentice is placed, not unfrequently, on board, and the lead is continually in use, and in case of accident, admitting the pilot to be responsible for the safety of the vessel, he is only personally so, perhaps without means; the master is aware of the uncertainty of obtaining redress, and declines, in case of damage, to take steps to recover his loss. One other pilotage regulation exists at the port of Liverpool to which I may be permitted to call attention, I think most absurd. The present limit as to compulsory pilotage is on vessels of 100 tons register, and upwards, but provided a coaster, even under this tonnage, should have been a foreign voyage within a period of six months to her entering the Mersey, though she does not take or require a pilot, the pilotage charge is demanded. This proceeding is complained of most bitterly by coasting captains, and not unfrequently have I heard ship masters remark of having taken advantage of the night to avoid payment of the Liverpool pilotage. Such, Sir, is the state of things the honourable Member for Liverpool would seem to wish continued, or rather have it left to the interested ship-owning Pilot Board in Liverpool to redress. I feel sure, Sir, it will be observable to you that the constituted Pilot Board in Liverpool have a direct interest in making the pilotage charges as small as possible on the larger class of vessels entering Liverpool, and keeping up the so-called "efficiency" and sustenance of the pilotage staff there by a compulsory charge upon coasters.

Mr. *T.H. Farrer.*

22 March 1870.

"I entreat you, Sir, to move the Government that the non-compulsory clause, without Liverpool being excepted, shall stand part of their Bill; that coasters requesting the services of a licensed pilot, it shall be compulsorily rendered by a small charge on the vessel's register tonnage; in such case the charge for pilotage would be more equitably distributed. The pilot would not suffer loss of revenue, while the coasting trade, which is not remunerative, would be very much relieved.

"I fear I have already trespassed upon your valuable time; apologising for which,

"I have, &c.
(signed) "*William Steele.*"

"G. J. Shaw Lefevre, Esq., M.P.,
"Secretary, Board of Trade."

138. Mr. *Malcolm.*] As far as I understand from this letter, coasters under 100 tons are exempt?—His complaint is, that coasters under 100 tons have to pay. A ship under 100 tons, if she has been a foreign voyage, say to Havre, within six months, is not exempt. I am, however, bound to say that the general evidence in Liverpool is, generally speaking, that the shipowners are exceedingly well satisfied with their pilotage system.

139. You mean the shipowners generally?—Yes, the shipowners generally. Sometimes, however, one finds something to the contrary. A good many Liverpool papers come to me with reports of the proceedings of the Mersey Docks and Harbour Board, and I was rather struck, about the 15th of June 1868, by finding this extract from the proceedings of the Mersey Docks and Harbour Board.

140. Mr. *Graves.*] What paper is that extract from?—The "Daily Post" or "Courier," as far as I can remember; the 15th of June is the date in our registry, and the report is headed, "Negligence of Pilots." The report is as follows: "A communication was read from the secretaries of the Liverpool Shipowners' Association, stating that the committee of the association, at a meeting held on the 3rd instant, had directed them to bring under the notice of the dock board the frequent losses sustained by shipowners, owing to the accidents arising from the negligence of pilots while in charge of vessels. The committee were aware that the pilot in fault was legally liable to the shipowner for the damage sustained, but any remedy for damage against the pilot was practically of no avail, unless the pilot had sufficient means to pay such an amount as should be awarded against him. The association suggested that a bond with a sufficient surety for 100 *l.* should be required to be given by each licensed pilot to meet any loss or damage sustained by shipowners through the negligence or want of capacity on the part of such pilot. The chairman suggested that the letter should be referred to the pilotage committee, but he was under the impression that the board had no legal power to grant the application. Mr. Harrison thought, if the board had the power, it was very advisable that it should be done. Mr. Forwood said they had a precedent for it in the traffic department, where every stevedore, lumper, master porter, and even the lowest labourer was obliged to give a bond and surety to the extent

Mr. *T.H.Farrer.*

22 March 1870.

of 200 *l.*, those sureties having to meet any losses caused by the negligence of the parties, and which they could not make good themselves. If this was reasonable in the traffic department, it was much more reasonable as regarded pilots, and he agreed with Mr. Harrison, that if it could be done, it would be very desirable to comply with the application of the Shipowners' Association. Another point was, how far the master of a pilot boat ought to be made liable for the fault of a pilot whom he had put in charge of a vessel. Mr. Fletcher thought the request of the Shipowners' Association a very reasonable one. If it was reasonable that sureties should be required in the traffic department, it was much more so in the pilotage department, for a shipowner might select any stevedore, master porter, or lumper he pleased, while he was compelled to take whatever pilot was thrust upon him, whether he wanted the pilot or not. The letter was referred to the pilotage committee."

141. *Chairman.*] When you state that the shipowners of Liverpool generally are satisfied with the pilotage of that port, you must make an exception with regard to the steamship owners, must you not?—They have never been satisfied; there has been a battle between them and the pilotage authorities ever since 1854.

142. I believe, in a recent letter to the Board of Trade, on the subject of the Merchant Shipping Bill now before the House, they express a strong opinion that compulsory pilotage should be abolished?—Yes, they do, and I will read what they say; it is a letter on the subject of Merchant Shipping Acts generally, and the following are the passages with respect to pilotage: "The clauses in the Merchant Shipping Bill, brought in last year with reference to pilotage, had for their object the abolition of compulsion in the employment of a pilot, and of immunity from the consequences of his acts, but they also provided for the continuation of the compulsory payment of pilotage dues. This proposition to continue the burdens, but not the corresponding immunity of pilotage, having met with much opposition, the present Bill was brought in. The new Bill provides for the total abolition of the compulsory employment of a pilot, and of the compulsory payment of pilotage dues; and the immunity of the shipowner for the pilot's acts, although not expressly referred to in the Bill, will necessarily cease to exist in consequence of these provisions. The Bill also provides for the superannuation of pilots, and (Clause 3) for the preference of a licensed pilot over an unlicensed one; it also imposes a penalty of not exceeding 50 *l.* on an unlicensed pilot continuing in charge, and on the master who continues to employ him after a licensed pilot has offered himself for engagement. It is suggested that Clause 3 should be withdrawn, as it appears probable that it will create great difficulty in certain cases. 1st. If a ship is in charge of an unlicensed pilot, and a licensed pilot applies for employment and is taken, inasmuch as his employment in that case is enforced with a penalty, it will be said that it is compulsory, and that the owner will have an immunity from the consequences of his act. 2nd. If a channel pilot is engaged, say, to take a vessel from Liverpool to London, he will, under this clause, be liable to be superseded in every pilotage district which he enters. The difficulties attending the subject of compulsory pilotage have been so great; it has been so difficult to ascertain in any particular case of collision whether the circumstances are such that the employment of the pilot would protect the owner of the ship of which he was in charge; and, except where both the colliding ships are in charge of pilots, the law has been so one-sided in its effect, that the main provision of the Bill abolishing both the burden and the immunity together appears to be the most satisfactory way of dealing with the matter, and the Association approve of it accordingly. The Association have already expressed their opinion in favour of the entire abolition of compulsory pilotage. If it is abolished, there will not be much in this part of the Bill affecting the interests of shipowners. It is apparently intended as an alternative for the Bill for the Abolition of Compulsory Pilotage, and is framed so as to continue the compulsory payment of dues, but not the compulsory employment, and consequently not the immunity for the pilot's acts. If the compulsory payment of dues is not to be entirely abolished, the Association are very strongly of opinion that the present immunity of the shipowner for the acts of the pilot should be continued. Section 450 alters the present law as to the liability of Trinity House pilots (which is now limited to 100 *l.* upon their executing a bond with sureties to the Trinity House for that sum) by withdrawing all limitation. This alteration is an improvement, although perhaps not of very much practical importance."

143. I think various attempts have been made by the Liverpool Pilot Board to remedy the grievances of the steamship owners?—It is rather a complicated story, as I have said before. A steam ship, if she carries passengers, which almost all the steamships do, is under a double obligation to employ a pilot, first under the Liverpool Local Act, and next under the Merchant Shipping Act, section 354. Shortly after the passing of the Act of 1854, on the 30th of June 1854, a settlement was effected between the steamship owners and the then Pilotage Commissioners, by which the steamship owners were relieved from the obligation of taking a pilot at all, on the condition that they paid reduced pilotage rate, viz., one-fourth of the inward pilotage for no service whatever. I will put in that Order in Council. The effect of that Order in Council was, that the Pilotage Commissioners entirely abandoned all notion of being responsible for the safety of these vessels (a notion which they insisted upon very much in subsequent correspondence with the Board of Trade), on condition that these vessels, which were perfectly well navigated by their own captain and officers, should pay a certain tax towards the Liverpool Pilotage. Now, Captain Simpson, who seems to be a very efficient officer of the Mersey Docks and Harbour Board, terms that in a subsequent correspondence an unholy compact; it did not seem to me an unholy compact, but it entirely throws overboard what the Liverpool Pilotage Commissioners afterwards insisted upon, namely, that they were responsible for the safety of those vessels. By this Order in Council they threw that responsibility overboard altogether, provided they could get a certain tax levied upon these vessels for the benefit of the Liverpool pilots. The Order in Council is to the effect that the following regulations should be made with respect to coasting steamers plying from and to the Port of Liverpool, that is to say, 'The coasting steamers outward bound proceeding to sea without a pilot, be

be altogether exempted from the payment of pilotage, and that the rates of pilotage for coasting steamers inward bound be reduced from 4 *s.* to 1 *s.* per foot when the services of a branch pilot are not required on board the steamer.'" That regulation is still in force. (*The same was delivered in*, vide *Appendix* (A), No. 16.)

144. Mr. *Wykeham Martin.*] Who is liable for the damage now?—Under that regulation the steamer herself would be liable for the damage, because she takes no pilot. These conflicting parties were the Irish passenger steamers on the one hand, and the body who governed the pilotage of Liverpool on the other.

145. Who is liable now under their unholy compact, as it is called?—Under this unholy compact the pilots do not force themselves on board these passenger steamers, and the steamers are navigated by their own officers.

146. The steamer is liable at present?—Yes, the steamer is liable in case of damage. Then there was another obligation, under Section 354 of the Merchant Shipping Act, with regard to the home trade passenger ships. Section 355 of the Merchant Shipping Act was inserted in that Act very much at the instance of the owners of Irish steamers out of the port of Liverpool. It provided that the Board of Trade might grant certificates exempting these steamers from the new obligation to which they were subjected under the 354th section. These certificates were to be founded upon the fact that the masters and mates of those vessels had piloted vessels for a certain time safely, or had otherwise proved their competency, as the Board of Trade might think fit. The Board of Trade felt it was very undesirable that there should be two sets of examinations going on in the same port. They consequently referred the masters of these steamers, in the first instance, to the pilotage authority, because the certificate of the pilotage authority would have had the effect both of exempting them from the local obligation, and from the obligation of the 354th section of the Merchant Shipping Act. However, the pilotage authority for a good while refused to examine at all, and under those circumstances the Board of Trade granted certificates freely. Then came the great change in the pilotage authority of the port of Liverpool; the management was transferred from the old pilotage committee to the committee of the Mersey Docks and Harbour Board, which was not to consist entirely of the members of the Board, but which was to contain several other members, who were at first, if I am not mistaken, of the old pilotage committee; and pending that transfer, the Board of Trade held their hands and declined to grant pilotage certificates upon examination; they refused to grant new ones in any case.

147. Did "freely" mean without examination, or liberally with examination?—Freely, upon being satisfied by the experience of the officers, that they were qualified. The Board of Trade received the criterion mentioned in the Act, namely, service; but they have never actually examined at Liverpool, and they think a double examination in the same port is an evil.

148. *Chairman.*] Then "freely" did not mean after examination?—As regards the Board of Trade it did not mean after examination. Then after this, in the year 1859, the City of Dublin Company urged the Board of Trade to interfere. The whole history of that you will find in Parliamentary Paper, No. 445 of 1862, pages 90 to 96; the City of Dublin Company on the 1st of July 1859, wrote to the Board of Trade with regard to the application of Messrs. Johns and Hughes, officers of the City of Dublin Steam Packet Company, to the Mersey Board, in consequence of a resolution of the pilotage committees to the effect that it was not expedient to examine. In reply to that, the pilotage committee of the Mersey board wrote to the Board of Trade on the 15th of July 1859, in the following terms: "That in declining to undertake the examination of masters and mates of coasting steamers, the pilotage committee are exercising a discretion obviously vested in them by the 121st section in the Consolidation Acts Bill of 1858, and also by the 340th section of the Merchant Shipping Act of 1854. That a heavy responsibility would be incurred by granting a pilot license to a stranger, whose character the committee could only know by report, and who would be immediately removed from their supervision. He might have ability and pass the examination with credit, and yet by misconduct be utterly unfitted for the duty long before the expiration of the period for which a license has been granted. That the applicants are chiefly masters and mates of coasting passenger steamers, and although the committee admit the desirability of there being a competent pilot on board such vessels, they feel that a heavier responsibility is attached to the granting of those licenses than to those granted to apprentices on their first undertaking the duties of pilots. That the continual changing and intricacy of the channels at the entrance of the Mersey render increasing observation and vigilance indispensable. That vigilance cannot be exercised by a person in charge of a vessel only occasionally entering and leaving the port, and the necessary knowledge of such changes (and growing changes) can only be acquired by the pilots of the port by daily experience and frequent surveys for that purpose." To that the Board of Trade replied as follows: "That the examination and licensing of a pilot for general employment under the Local Act for the port of Liverpool is a totally different thing from granting pilotage to master and mates employed by any particular owner under the General Act. In the former case the pilots are the servants of the pilotage committee, selected for general employment by persons who are quite ignorant of them, and the pilotage committee are undoubtedly responsible for the selection they make. In the latter case the masters or mates are the servants of an owner who chooses, employs, and trusts them, and the sole object of the examination is to exempt a man who is proved to possess certain technical knowledge, from the necessity of employing a licensed pilot. Although the 340th section of the Merchant Shipping Act, 1854, provides that a pilotage authority may examine masters and mates, or may decline to do so 'if it think fit,' the 342nd section makes the Board of Trade responsible for correcting an improper use of the discretion thus given, and implies that that discretion shall be fairly and liberally exercised. The Mersey Board, in granting the licenses in question, will be assuming no responsibility whatever except that of ascertaining at the examination that the applicant possesses a certain degree of local knowledge of the navigation of the port. That masters and mates of steamers, making short voyages in the home and coasting trades, cannot be so long absent from the port as to be ignorant of the

Mr. *T. H. Farrer.*

22 March 1870.

Mr. *T. H. Farrer.*

22 March 1870.

changes that may from time to time place in the Channel, more especially as the certificates, if granted, must be renewed annually; and if such changes become serious it is the duty of the Mersey Board to move buoys or lights, and to give due notice of any alteration that they may have deemed necessary. No person in command of a coasting steamer ought therefore to be ignorant of any important changes in the channel. I am further to observe that the Trinity House and other pilotage authorities have long been carrying the obvious intentions of the Act into effect without difficulty and without evil consequences. In conclusion, I am to state, that should the Mersey Board fail to comply with the intentions of the Merchant Shipping Act, 1854, and to examine the persons who have applied them, my Lords will consider that circumstances have arisen which in their judgment require that they should exercise the powers given them by the 342nd section of that Act for the appointment of persons to examine masters and mates, and for the granting of pilotage licenses." Then, in reply to that, the Mersey Board, on the 6th of October 1869, passed a resolution, "That upon the application of the owners of any coasting steamer, this Board will admit to examination, and, if he be found competent, will license the master or mate of any such steamer to pilot the vessel to which he may for the time being belong, and while such vessel shall continue the property of the same owners; but subject to all the existing rules and regulations relating to Liverpool pilotage, except in so far as they are necessarily varied by the present resolution." So that controversy ended at the time; but Mr. Watson, of the City of Dublin Steam Navigation Company, was not at all content, and his company believed that they never should get fair examinations from the Mersey Board; and they insisted upon still getting from the Board of Trade certificates under the 355th section of the Merchant Shipping Act; and Mr. Milner Gibson, being satisfied that he had reason for it, at last assented, and consequently the Board of Trade for some time continued to grant them those certificates.

149. Later in 1868, the question was again raised apparently?—This same question was again raised in 1868.

150. And on that occasion the Board of Trade, thinking that the Mersey Board was not inclined to examine masters for certificates, declined to interfere?—On that occasion there was a good deal more correspondence with the Mersey Docks and Harbour Board, and it was thought undesirable that the Board of Trade should be granting pilotage certificates for Liverpool, whilst the Mersey Board were also granting pilotage certificates for the same place. The Mersey Docks and Harbour Board led the Board of Trade to believe that they were acting fairly in the matter, and the Board of Trade declined to grant any more certificates. I will put in this correspondence. (*The same was delivered in*, vide *Appendix* (A.), No. 17.) After that the City of Dublin Company resisted strongly; but, upon seeing the whole of the correspondence, they entered into a negotiation with the Mersey Board, and a proposal was made by the Steam-packet Company, not that all masters and mates should be examined, but that they should take on board on every voyage a licensed Liverpool pilot, paying him a reduced rate. To that the pilotage committee refused to assent, and there the matter still remains, and I believe the City of Dublin Company are exceedingly dissatisfied.

151. What was the total number of masters and mates examined under the provisions of the Merchant Shipping Act in Liverpool?—The whole number granted in 1868 was two; there were none granted in 1869; the total number renewed in 1868 was nine; the whole number renewed in 1869 was 10.

152. Can you say whether any applications have been made for certificates?—Of that we know nothing. In the Parliamentary Paper, No. 532, of 1864, page 40, you will find a further correspondence with the Mersey Board. A captain complained to the Board of Trade that his certificate granted by the Mersey Board was limited in this way:—"So long as the said steamer 'Helena' shall remain in the same trade," and he said that his certificate ought to be extended to the piloting of his steamer whether she was in the coasting trade or in the foreign trade. Upon that the Board of Trade referred to the Mersey Board, and they replied in a letter, which will be found at page 42 of the same Paper, dated 8th of September 1862. They refer to what had passed before, and then on page 43 they go on to say that, "in the opinion of the Committee there is no analogy between the two cases now referred to" (that is masters in the coasting trade and masters in the foreign trade). "The masters and mates of coasting vessels spend their lives in acquiring the experience and knowledge of pilots; they belong to a class who are all known; their duties and services are purely local, and render them, to some extent, amenable to supervision by the Board. But the reverse of all this applies to the masters and mates in the general trade, especially on long voyages; for over them the local pilotage authority would, practically, have no jurisdiction whatever; and whatever might be the knowledge which such a master or mate might at one time possess, it is obvious that it would be rapidly impaired by disuse. The most important changes in this navigation frequently occur within the time spent on a foreign voyage, while even in the absence of such extraordinary occurrence, it is certain that nothing less than continuous experience, and the most careful and unceasing watchfulness are necessary to keep up the efficiency of a Liverpool pilot. Even a man's moral character (scrupulously cared for here) might so deteriorate on a long voyage as wholly to disqualify him for the office of a trustworthy pilot on his return to Liverpool. Again, ships on foreign voyages are quite uncertain as to their ports of destination in this country, so that very long absences from Liverpool might interfere, and in no case could any local pilotage board exercise the slightest authority over persons on board such vessels, nor acquire any available knowledge of their conduct. If, indeed, so wide a system of licensing could be contemplated, it is manifest that it could only be attempted by some central body, with the authority and responsibility of Government. And there is yet this further and paramount consideration: any such general system of licensing pilots in the foreign trade would be totally inconsistent with the further maintenance of any local pilotage board. The two systems could not exist together." To that the Board of Trade replied (*same Paper*, page 43), as follows: "The enactment referred to in providing that the master

master or mate of any ship has a right to be examined, and, if found competent, to obtain a license enabling him to act as pilot of the ship or ships specified in the license, contains no distinction depending on the class of the vessel, or the nature of the voyage on which she may be engaged. If he is found competent to pilot a vessel he ought, as my Lords read the statute, to be empowered to pilot her into and out of the port for which he is examined, whatever be the place to or from which the vessel may be bound. The Mersey Board appears to consider that as regards pilotage into or out of the Mersey a master may be competent to pilot his vessel on a coasting voyage, and not competent to do so on a foreign voyage, and for this they allege as their reason the fact, that during prolonged absence the channels of the Mersey may undergo alteration. Upon this my Lords desire me to observe, first, that the objections arising from possible changes in the navigation apply less to short foreign voyages, *e. g.* voyages to France, than to some coasting voyages, and that the distinction adopted by the Mersey Board would, therefore, without any reason whatever, deprive of the advantages contemplated by the statute, a large, important, and increasing class of traders. Secondly, that in consequence of the great care with which the Mersey Board provide for the seamarks of the Mersey, changes are from time to time made in the leading lights, beacons, and buoys of the Mersey, which sufficiently indicate any changes that may occur in the channels. Thirdly, that the Act provides that a pilotage certificate granted to a master or mate shall not be in force for more than one year. Consequently no master or mate who is absent for more than 12 months can pilot his own ship without having his license renewed. In order to do this he must appear before the pilotage authority, who may then, if they have proper and sufficient reasons, refuse to renew the license. Under all these circumstances, my Lords cannot see that there is any ground for presuming that a master or mate who is found competent to pilot a vessel in the coasting trade is not also competent to pilot her in the foreign trade. In conclusion, I am to point out, as the Board of Trade have pointed out before, that the grant of a pilotage certificate does not constitute the master or mate a pilot, much less does it render the Pilotage Board responsible for his character or conduct. The object and effect of the Act is simply to relieve the employer from the exceptional obligation of employing and paying for the services of a pilot who is not his own servant, in cases where his own servant is capable of performing the duty, and when he, who is the best judge of his own interests, thinks such a course desirable."

153. What was the result of that correspondence?—The result was that a deputation came up from the Pilotage Committee to the Board of Trade, to Mr. Milner Gibson, and an account of the interview, given by the deputation, will be found in the same Paper, at pages 44, 45, and 46, in which the Board of Trade are very handsomely abused; but eventually the local authorities gave way. The Mersey Board, in fact, overruled their Pilotage Committee and passed a resolution that they would examine foreign masters; but I am not aware that they have examined many.

154. Notwithstanding that, I believe only nine certificates were renewed last year?—Only nine. It is a singular fact that there should be several hundreds examined in London and Hull, and only 10 certificates in existence in Liverpool in 1869.

155. And how many in Glasgow?—I will give the number at London, Hull, and Glasgow. In London, there were 51 granted, and 189 renewed; at Hull, there were 222 granted, and 61 renewed; on the Clyde, there were 133, I think, granted, but they do not distinguish between granted and renewed, or they have not made the return accurately.

156. Let me put into your hand the memorial of the steamship owners of Liverpool to which you have referred, expressing their ideas upon compulsory pilotage?—This is a report of the Liverpool Steamship Owners Association upon the Merchant Shipping Code and Pilotage Bills, 1870. "The difficulties attending the subject of compulsory pilotage have been so great, it has been so difficult to ascertain in any particular case of collision whether the circumstances are such that the employment of the pilot would protect the owner of the ship of which he was in charge; and except where both the colliding ships are in charge of pilots, the law has been so one-sided in its effect, that the main provision of the Bill abolishing both the burden and the immunity together, appears to be the most satisfactory way of dealing with the matter, and the association approve of it accordingly."

157. Referring now to the case of Glasgow and the Clyde, I think it is only compulsory from Glasgow as far as Greenock?—It is only compulsory up the narrow part of the Clyde from Greenock to Glasgow.

158. And with regard to exemptions, they are to apply to coasting vessels under 100 tons?—Yes, under 100 tons, moved or towed by steam.

159. It is not confined to coasters, I believe?—No, I think not.

160. The total number of masters and mates licensed for pilotage under the Merchant Shipping Act is 133, I believe?—Yes, 133.

161. Then, in point of fact, the pilotage of Glasgow is much like the pilotage of the Thames above Gravesend; it is merely river pilotage?—It is little more than a canal.

162. I believe, with regard to Dublin, the pilotage is compulsory?—The pilotage is compulsory; they have not sent us any information upon this return; therefore I am unable to give the exemptions accurately.

163. Last Session a Bill was introduced into Parliament for the purpose of extending the limits of their compulsory pilotage?—Yes.

164. And the Board of Trade objected to it, and it was altered, and left as it is now?—Yes.

165. I believe petitions had been received by the Board of Trade from Maryport and Workington against compulsory pilotage in that district?—Yes; in the Parliamentary Paper, No. 455, of 1862, reference will be found to this subject. We have petitions from the shipowners of Maryport and Workington, strongly objecting to compulsory pilotage within the Dublin district.

166. There is also a letter from the Ballast Board on the same subject?—The owners of the small steamers plying between Kingstown and Dublin, who were generally in the habit for a long while of plying with perfect safety, applied to us because the Dublin Ballast Board held their steamers subject to compulsory pilotage. I will put in the letter, and I will only read this passage from

Mr. *T. H. Farrer.*

22 March 1870.

from the answer of the Dublin Ballast Board, because it seems to me to show the same false view of their position as that which was shown by the letters I have read from the Mersey Board. It says, "I am, in reply, directed to state that the Board (*i.e.* the Ballast Board of Dublin) were actuated in this case solely by a sense of what is due to passenger safety, having regard to the great responsibility which rests with them, being the pilotage authorities of the port of Dublin, should any accident to life occur; and that they did not adopt this course without obtaining legal advice, which has been communicated in the following words." Then they quote a legal opinion to the effect that they had power to compel those vessels to take a pilot, about which there is no doubt whatever; to which the Board of Trade replied that they were perfectly mistaken in supposing that the responsibility for the lives of passengers on board these vessels rested with them; that it rested really with the owners of the vessels, and if they compelled the owners of those vessels to take a pilot under the notion that they would take the responsibility upon themselves, and that the owners were thereby to be relieved, they would be doing mischief instead of good. (*The letters were delivered in*, vide *Appendix* (A.), No. 18.) I understand that the Dublin Port Board have now petitioned in favour of this Bill.

167. Now I will ask you a question with regard to the Humber; in the Humber the practice has been for the pilotage authorities to grant certificates very freely?—Yes, they have exercised that power very liberally from the beginning; one of the first questions we had with them was, whether the granting of certificates was to extend to foreigners as well as to Englishmen; we gave way, and they have examined masters of foreign vessels as freely as the masters of English vessels.

168. What is the number of certificates granted at Hull?—In 1869, 222 certificates were granted and 61 renewed.

169. The number is so considerable that in their answer to a circular sent by the Board of Trade, the Hull authorities represent that the pilotage is not compulsory?—Their answer is, that practically the compulsory employment of a pilot is unknown in the Hull district.

170. On the other hand, the Board of Trade have received representations from the people of Goole, complaining very much of the compulsory system of Hull and the Humber?—Yes; whether that applies to the Port of Hull, or not, I do not know.

171. They have to pass through the Hull district to get to Goole?—Yes; they have to pass through the Hull district to get to Goole.

172. And they are subject to the same pilotage authorities as the Hull people?—Yes, in passing through that district. This is the petition, and it is so numerously signed that it is worth while reading it. "That your petitioners have long regarded the law of compulsory pilotage as a most grievous and obnoxious tax, quite contrary to the principles of free trade, inasmuch as the shipmaster is compelled to give up charge to the pilot forced on board by law, although it remains an unsettled point as to whether or not under some circumstances the master should remove the pilot from charge, thus placing the shipmaster in a very unenviable position; for to remove the pilot from charge, he must be supposed to know better what to do under the circumstances than the pilot he removes; and admitting that, how anomalous the law to force a pilot on board a ship, if that law supposes the shipmaster to know better how to navigate that ship than the pilot himself does. Your petitioners beg to remind your honourable Board of what took place with respect to the loss of the 'Spindrift,' wrecked near Dungeness. How the Court at Greenwich acquitted the master from any blame, owing to a compulsory pilot being in charge of the ship, and how your honourable Board, together with the Elder Bretheren of the Trininy House, dissented from that Court's decision; thus showing how difficult for a shipmaster to determine when the time arrives for him to supersede the pilot in charge. Your petitioners are confident that the most just and effectual way to remedy that evil would be to establish a voluntary system of pilotage, and beg your honourable Board to insert a clause in your proposed Merchant Shpping Amendment Bill, to abolish unconditionally the law of compulsory pilotage throughout the United Kingdom, and let there be free trade in pilots, the same as in shipmasters; your petitioners cannot see any reason why one class should be protected at the expense of another class; any person qualifying himself for a shipmaster can be one without any regard as to number, and your petitioners recommend the same law towards pilots. Your petitioners look upon the present modes of levying the rates for pilots' fees on the draught of water very unjust in principle, inasmuch as a ship of 2,000 tons would carry nearly ten times the number of tons per foot draught of water as another ship of 100 tons; thus showing that levying the rates on the draught of water falls very unequally on different sized ships. Your petitioners beg to recommend as a remedy for that evil, that all pilotage fees be levied on the gross tonnage of the ship, precisely similar to light dues, dock dues, &c." They wish it to be on tonnage instead of draught. I will put in this petition. (*The same was handed in*, vide *Appendix* (A.), No. 19.)

173. There is a difference of opinion among the pilots of Hull with reference to the maintenance of compulsory pilotage?—This memorial is from a pilot himself. It is signed by 40 pilots; and the writer adds, at the foot of this memorial, "Of the 68 pilots, including captains, the above comprise 40 of them." It is dated Hull, 17th March 1870: "We beg most respectfully to make a few suggestions to you on the subject of the Pilotage Bill, seeing that our livelihood is to some extent at stake. We Humber pilots are licensed by the Elder Brethren of the Trinity House, and after being licensed, are under the control of 72 commissioners, composed of shipowners, Trinity Board, town councillors, and others. There are many pilots who would welcome the abolition of the compulsory system if such abolition would also include the abolition of pilotage authorities, and we think that if the present Pilotage Bill is to pass, there should pass with it a corresponding remodeling of the whole constitution, as we think one authority would be quite sufficient, say our Trinity Board alone, or (which would be sooner preferred) your own authority, namely, the Board of Trade." (I do not think the Board of Trade will agree to that.) He goes on: "For besides making it better under the free system, it would make it more to our individual interest to carry on the work to the best advantage. Our machinery

nery also is much more expensive than is actually necessary. We have seven cutters employed in the service; three of them only been under weigh at one time, the remaining four being laid up eight months out of 13 (reckoning four weeks to the month); attached to which four cutters are one captain and three boys each. Our past experience proves to us that our commissioners would be slow to make any reduction in the shape of cutters, &c., though we think each reduction might safely be made. From the interest every pilot has in the service (more or less according to his length of servitude), we feel satisfied that under the new system our earnings would considerably diminish, and, such being the case, would also proportionately lessen the superannuation fund. We have at the present time seven men on this fund, varying from 14 *s.* to 1 *l.* per week; 20 widows and 13 orphan children are chiefly depending upon us and our exertions."

174. What is the whole number of pilots at Hull?—According to this statement 68; but according to the return from the pilotage authorities it is 69, with 18 apprentices.

175. Referring again to the case of the Bristol Channel pilotage, you have already told us that in 1861 an Act was passed which repealed compulsory pilotage, as far as Gloucester, Cardiff, and Newport were concerned, but left it subsisting for Bristol?—It was left subsisting for Bristol. The history of that is completely given in a Report made by Mr. Gray, the Assistant Secretary to the Marine Department of the Board of Trade, which has been just laid before Parliament. It is No. 70 of the present Session.

176. I believe the Bill of 1861 was referred to a Committee of the House of Commons, was it not?—Yes; a very painstaking Committee, indeed, investigated it and passed the Act, in which they transferred the pilotage of all vessels going to Newport, Cardiff, or Gloucester to the three pilotage boards constituted at each of those ports, and at the same time exempted them altogether from compulsory pilotage, so that the pilotage has since been altogether voluntary for all such vessels.

177. Previous to those vessels going to those towns they were compelled to take Bristol pilots in passing through the Bristol district, were they not?—Yes, they were obliged to take Bristol pilots at Lundy.

178. The effect of that was, that it relieved them from that complication of there being a joint system of pilotage for those towns?—Yes, the Act established a joint system of voluntary pilotage for those towns.

179. The effect of Mr. Gray's inquiries into the result of that Act is, that those towns are completely and properly served with pilots, and that the pilots are as much if not better off than they were before?—Yes; as regards the Newport, Cardiff and Gloucester pilots. That the Bristol pilots have suffered is perfectly true, but the reason of that is that the pilotage has been transferred from Bristol to the other ports.

180. And the pilots failed to transfer themselves to the other towns?—They failed to transfer themselves to the other towns, and the consequence is the Bristol pilots have suffered.

181. By the pilots surrounding?—Yes; at Gloucester, Cardiff, and Newport, the pilots are in receipt of wages as large as, or larger than, they were before the Act.

182. As they were before the Act was passed?—Yes, quite as large, or larger.

183. And with much greater satisfaction to the shipowners and the pilots?—Yes.

184. And no complaint has reached the Board of Trade with regard to the effect upon the shipping of the towns, has there?—As far as the shipping is concerned they are perfectly satisfied. There were some complaints of the pilots of some of the rates and regulations in the first instance, and they will be found in Parliamentary Paper, No. 532, of 1864; they have been settled and we have had no complaint from anybody since. The result of Mr. Gray's inquiries was that both pilots and shipowners were perfectly satisfied. Probably the Cardiff, and Gloucester, and Newport ships may often not take a pilot as low down as Lundy, where before the Act of 1861 they were compelled to take a Bristol Channel pilot; the reason of that is, they do not need a pilot between Lundy and the Holms.

185. Pilots are now found where they are practically wanted?—Yes.

186. And not at other places?—Yes; and I think that is saying a good deal, because it is obvious that pilots would be much more likely to be found when they were, as formerly, pilots for the whole of those waters, and for all ships navigating them, than when, as is the case now, the ships bound to each port have their separate set of pilots.

187. In the case of Bristol, is there any reason why pilotage should remain compulsory, while in the case of Gloucester it is free?—If a vessel can go without a pilot from Lundy to the Holms when going to Cardiff, she can go without a pilot when going to Bristol; and if they take pilots regularly from the Pill to Gloucester, they are likely to take a pilot regularly from the Pill to Bristol.

188. You have now explained to the Committee with reference to the ports where pilotage is compulsory; there are other ports which we need not refer to?—At Ipswich, Arundel, Boston, Waterford, and Londonderry, the Board of Trade have, as will be seen by the Parliamentary Return 455, 1862, pp. 106, 114, 118, 122, 125, 128, interfered to procure the examination of masters and mates, and in some cases they have examined them themselves; at the present moment they are not examining anywhere. I will put in a letter from Galway, complaining very much of compulsory pilotage; it is from some persons whose names I cannot quite read, Hamond I think is the name, but in the letter there is this statement: "To give you an instance of the rate of charges for pilotage, we will take the case of the 'Rock Light,' 1,643 tons register, belonging to Mr. Graves of Liverpool; the pilotage from the Arran to the roadstead (30 miles), was 16 *l.* 15 *s.*; had she entered the dock, the charge would have been 4 *l.* 2 *s.* 3 *d.* more; add this to the outer pilotage, would make a total of 41 *l.* 14 *s.* 6 *d.*, or 6 *d.* per register ton. The master of the ship (Captain Capper), appealed to the Harbour Commissioners for a reduction of this exorbitant charge, but his respectful appeal was left unheeded." There is great complaint in this letter of the very heavy compulsory pilotage charges at Galway. (*The same was delivered in,* vide *Appendix* (A.), No. 20.)

189. I think Falmouth is among other places where pilotage is compulsory?—Yes.

190. That was the subject of a good deal of discussion

Mr. *T. H. Farrer.*

22 March 1870.

discussion before the Committee of 1860; one is the case of Cork?—Yes. Admiral Sulivan's evidence is very full upon this point.

191. Cork is free of pilotage, is it not?—Yes.

192. The evidence taken before the Committee of 1860, showed that Cork was, on the whole, as well served with pilots, and that pilots, on the whole, were as actively employed there as they were at Falmouth?—Yes, at a lower charge.

193. The other principal ports where pilotage is free, are the Tyne, Sunderland, Cardiff, Newport, Gloucester, Cork, and, to some extent, London?—Yes.

194. You have already told the Committee that the number of pilots under the free system is about 1,080, whereas the number of pilots in the compulsory pilotage districts is 1,828?—Yes, where pilotage is more or less compulsory.

195. When you speak of pilotage being entirely voluntary, you mean that there is no compulsion upon the employer to take a pilot; that is to say, that no ship is obliged to take a pilot?—Yes.

196. Still till pilotage authorities had been constituted at those places under the Merchant Shipping Act of 1854, or under the Local Acts, the pilots have been licensed, and are so regulated; whereas in all other respects they are exactly similar to the rest of the compulsory pilotage districts, with the single exception that the compulsion to employ a pilot does not exist?—Yes.

197. There is a regulated price, and there is a licensed class, and, to a great extent, the authorities limit the number in much the same way as they limit the number in the compulsory districts?—Yes, that is done according to their own discretion.

198. As a matter of fact, from information you have, is it not the fact that in almost all cases the local pilotage authorities do limit the number of pilots?—Yes.

199. It is not a matter of calculation; they are entitled to license any number, are they not?—There is nothing to prevent them licensing any number they please at a regulated price. The maximum price is fixed by their Local Act, and in the case of the Trinity House it is fixed by the General Act, and they can increase or diminish the price within that limit; and they can increase or diminish the number of pilots.

200. With regard to price, however, they have limited the number and fixed the price?—Yes; they subject the pilot to all manner of regulations.

201. In the compulsory districts it is still open to the pilotage authorities to license any number they think fit, is it not?—Yes.

202. But, in practice, they have generally limited the number?—Yes, in practice they have, as in other cases, limited the number.

203. I should like you shortly to state to the Committee the conclusions which have led you to think that compulsory pilotage should be abolished?—In the first place, the *primâ facie* case is against compulsion of this kind at all; I think everyone will admit that. It rests upon those who require a shipowner to employ a particular person to prove that there is a particular reason for compelling him to do so. Then, starting with the fact that the compulsion is an anomaly (for which, of course, reasons, more or less good, may be stated), we find that many actual and practical anomalies have arisen from it. First of all, we have complaints from small vessels and from steamers that they are obliged to employ and to pay for pilots whom they do not want. Then, secondly, we have the exemptions which have arisen from time to time, which no one would wish to do away with, because they are exemptions from an anomalous obligation, but which yet in themselves are altogether absurd and anomalous. Thirdly, the probable result (and, so far as we can learn from the opinions of those with whom we have come in contact), the actual result is, that the pilots, when they know that they must be employed, will not show as much care and anxiety as if they are only employed when the shipowner wants them. Fourthly, as a consequence of compelling an owner to employ a pilot, and put the ship in his charge, as a natural and logical consequence, you have taken the power and responsibility from the master and the owner of the ship. You have taken the responsibility from those who are capable of best exercising it, and you have placed it in the hands of a person who, however competent, has not the same motive for exercising it properly. Fifthly, you have deprived the owner of the property injured by the misconduct of the ship in charge of the compulsory pilot, of his remedy. And sixthly, you have created a state of the law in which there arises as serious and as absurd and oppressive litigation as it is possible to find in the law books. On the other hand, the strongest argument in favour of compulsory pilotage, is that those who are most interested, namely, the shipowners, are, many of them, in favour of it; that is a very strong argument; but there are some considerations which weaken that argument, as I will show presently.

204. A considerable change of opinion has taken place amongst shipowners since 1860?—A very considerable change. I was very much struck indeed, the other day, by Mr. Duncan, the chairman of the London Shipowners' Society, coming and telling me that he and some of the largest shipowners in London were entirely against compulsory pilotage, for they did not find themselves served by it; that he thought they would be far better served if pilotage was altogether free, and the pilots went to meet the ships when and where they were wanted.

205. In 1860 some of the principal shipowners in London were against abolishing the compulsory pilotage?—I have read Mr. Dunbar's evidence, and I can read the evidence of others upon the subject.

206. In 1860 it was the fact, was it not, that the greater number of the largest shipowners in London were against abolishing compulsory pilotage?—Yes; and in 1854 they were still more strongly against its abolition.

207. Colonel *Bourne.*] I believe that Mr. Green gave evidence in favour of it in 1860?—Yes, I think so.

208. And Mr. Marshall also, I think?—Yes, nearly all the large sailing-ship owners.

209. Mr. *Norwood.*] They were entirely sailing-ship owners, were they not?—Yes, except Mr. Anderson, who gave as his reason that ships in charge of a compulsory pilot were exempt from liability.

210. Mr. *Graves.*] I believe that Messrs. Burns of Glasgow were in favour of compulsory pilotage?—I believe so; but they are now against it.

211. *Chairman.*]

211. *Chairman.*] Have the Board of Trade received any representations upon the subject from the London shipowners against the Bill?—None; so far as we know the shipowners in London support the Bill. But there are, no doubt, strong interests who are in favour of retaining compulsory pilotage; but, as I have said, there are important considerations which much weaken the argument to be derived from this fact. In the first place there are pilots who are entirely in favour of it, and the pilotage authorities are entirely in favour of it; but both of these are interested in the retention, or think themselves to be so. Then there are a large number of shipowners, I quite admit, who are in favour of it; but the argument to be derived from their opinion is weakened in my mind by two considerations. In the first place, it obviously seems that some of them, as is shown by the evidence which I have read, are influenced by the desire to be exempted from liability, which does not seem to be a very good reason; and, secondly, by the fact stated rather fully in the letter which I read from Mr. Steele of Liverpool, that the large shipowners, who always must employ pilots, get the small shipowners and those who do not want pilots to pay for the cost of pilot service. Those arguments weaken, in my mind, the strong arguments which would otherwise arise from the fact that the large sailing-ship owners are in favour of compulsory pilotage. The strongest argument in favour of compulsory pilotage is that without it you would not keep up a sufficient staff of pilots; but to that, I think, that the cases where pilotage is altogether voluntary is a complete answer. One instance of a thoroughly successful voluntary pilotage in a port where pilots are really wanted is an answer to that argument, unless you can show that the circumstances are so entirely different, and I do not think that can be done. When you look at the different ports where pilotage is free, and where it is compulsory, you will find that, comparing one port with another, you can put in every case a free port against a compulsory port. For instance, take London against Liverpool; one-half or three-quarters of the pilotage into London is voluntary, and the sailors tell me that the pilotage into London is just as difficult, and even more difficult, than the pilotage into Liverpool; in fact, the London pilots laugh at the pilotage into Liverpool; they say that it is easy compared with their own pilotage. Then take a river with a narrow channel; you have on the one hand the Avon, which is compulsory, and the Clyde, which from Greenock upwards is compulsory; on the other hand, the Severn is free, and the Tyne is free, and nobody will say that either the Severn or the Tyne have easy pilotage.

212. *Chairman.*] I presume that all these arguments against compulsory pilotage were advanced at the time of the Bristol Channel Pilotage Act?—I have no doubt they were; the Bill was very severely fought in Committee in both Houses, and the arguments were very carefully weighed by the Committees. Lord Elgin was the Chairman of Committee in the House of Lords.

213. Experience has shown the fallacy of the arguments used against them, has it not?—I think so. It is a very strong fact, that in every case where there is a compulsion there are a number of persons who wish the pilotage to be free; I do not know a single port where pilotage is free, where anybody wishes that there should be compulsion.

214. No complaints have reached the Board of Trade from those places?—None whatever; least of all is there any disposition on the part of any shipowner, small or great, or even of any pilots, to make it compulsory.

215. Have there been any complaints of the want of pilots when ships are in distress?—No.

216. Mr. *J. S. Hardy.*] Is there the same safety for life and property in the non-compulsory ports that there is in the compulsory?—I have never heard of the superiority of the compulsory over the non-compulsory ports in that respect.

217. *Chairman.*] One argument used against the abolition of compulsory pilotage is, that it may tend to the want of pilots at a time when ships are in danger, and would tend, therefore, to the insecurity of ships; will you lay before the Committee a letter of the underwriters of Lloyds with reference to the "Spindrift" case bearing upon this point?—Yes; they wrote a letter about the "Spindrift" case, and they, the underwriters of Lloyds, conclude their letter by saying that compulsory pilotage ought to be abolished.

218. Showing that in their opinion the safety of vessels would not be in the least degree endangered by the abolition of compulsory pilotage?—No.

219. It has also been stated by the secretary of Lloyds, that in his opinion premiums would not be increased by the abolition of compulsion; is not that so?—I had forgotten that fact, but I will read the letter to the Committee.

Friday, 25th March 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. Pemberton.
Mr. William Philip Price.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.
Sir H. Selwin-Ibbetson.

MR. SHAW LEFEVRE, IN THE CHAIR.

MR. THOMAS HENRY FARRER, called in; and further Examined.

Mr. *T. H. Farrer.*

25 March 1870.

The *Witness.*] WILL you allow me to put in two supplementary things? I put in the Dublin Return of Pilots, Pilotage Rates, &c., which was not in the printed paper. The fact was, that it was sent up to the Board of Trade without any notice called to it, in the covering letter, amongst a mass of other returns, and escaped notice. I put it in now. (*The same was delivered in,* vide *Appendix* (A), No. 21.)

220. Mr. *Norwood.*] Is that one of the pilotage returns?—Yes. You will find under the head of "Dublin" a blank with the words "no information." They had sent the information, but, being enveloped in a mass of other returns, it was overlooked. There is another letter, part of the correspondence, which was omitted last time that I put in. (*The same was delivered in,* vide *Appendix.*)

221. *Chairman.*] I asked you on Tuesday last with reference to the change of opinion which had taken place on the subject of compulsory pilotage, and you gave the Committee various illustrations of it; I think you have some further illustrations to give with reference to the opinion of the Trinity House upon the subject?—The Trinity House have always, up to a late period, been strongly in favour of compulsory pilotage. In the Paper I referred to before, 455 of 1862, Nos. 13 and 14 of that Paper, it will be found that in July 1857 the Trinity House remonstrated very strongly against the effect, or probable effect, of the extension of the exemptions contained in the Merchant Shipping Act of 1854, upon the out-port pilots. I told the Committee that in 1854 the exemption from compulsory pilotage of vessels trading to ports in Europe north of Boulogne had been extended from London, to which it was originally confined, to all the Trinity House out-port districts. In 1857 the Trinity House remonstrated strongly against the probable effect of that exemption. In the winter of the present year they have voluntarily sent, without any pressure or communication from the Board of Trade on the subject, a suggestion that that exemption, extending to the outports as well as to London, should be farther extended, and that it should apply to all ships that trade to any foreign ports as far as Brest; so far from wishing to confine the exemption, as they did in 1857, they wish now to extend it.

222. I think they have sent no remonstrance against the Bill for abolishing compulsory pilotage?—They have sent no such remonstrance. The change has been a very late one; for in April 1862 they remonstrated against the very slight additional exemptions that were proposed by Mr. Milner Gibson's Bill of that year. I will read what they state; it is very strong: "That the manifest object of the powers possessed by this section to be given to the Board of Trade, some of which have hitherto been vested in this corporation, is to enable that Board to establish a general system of exemption from compulsory pilotage. That this Board cannot but view such a departure from the principle which has hitherto governed the Legislature in its dealings with the important question of pilotage, as highly dangerous to the system of pilotage generally, and to the best interest of the shipowner." That was their opinion in 1862, and instead of remonstrating now, they have asked for an extension of the exemptions.

223. Now, with reference to the London shipowners, I think you stated on Tuesday that there had been a considerable change of opinion among them?—On all former occasions, the large London shipowners, that is to say, the owners of the large sailing ships out of London have always been strongly in favour of compulsory pilotage. We have received within the last day or two, a letter from the General Shipowners' Society of London, which represents, not the steam-ship owners who have for a long while been against compulsory pilotage, but the large sailing-ship owners of London. This is the letter: "General Shipowners' Society, 12 St. Michael's Alley, Cornhill, London, 23rd March 1870.—Sir, I am instructed to inform you that the decision of the committee of the General Shipowners' Society with respect to the Bill 'to abolish Compulsory Pilotage' is, that they agree to the principle of the Bill, but the details of the measure appear to them to require in several parts revision and amendment. The views of the committee are, that pilotage should be thrown entirely open, and licenses be granted to all parties who may apply and prove themselves duly qualified, such licensed pilots

pilots having the privilege of superseding any unlicensed man who may have been engaged previous to their offering their services."

224. I think you have also something to read from the underwriters of Lloyds on the same subject?—I mentioned that the underwriters at Lloyds had expressed their opinion. In a Paper circulated this morning containing the case of the "Spindrift," No. 82 of this Session, at page 30, will be found a letter from the secretary of Lloyds to the Board of Trade, dated 27th January 1870, in which the committee of Lloyds, after criticising the conduct of the Trinity House in the matter of the "Spindrift," end as follows:—"In conclusion, my committee desire me to say that the whole of the facts brought out in this case confirm them in the opinion which they have entertained for some time, that the period has arrived for the abolition of compulsory pilotage, and that the Acts of Parliament by which a captain is compelled, in certain waters, to hand over the charge of his ship to a pilot, and permitted to throw off all responsibility for her safety, should be repealed."

225. The Board of Trade, I think, has also received communications from two or three Chambers of Commerce, which you have not yet read to us?—The Leith Chamber of Commerce have sent us in a memorial, expressing their opinion in favour of entirely free trade in pilotage. I will put it in. (*The same was delivered in,* vide *Appendix* (A), No. 22.) I should mention that at Leith there was compulsory pilotage a few years ago, and that the Leith Harbour Board obtained an Order in Council putting an end to it altogether. I am informed that there is no compulsory pilotage whatever now, either in the Forth or in the Tay. The Dundee Harbour Board are in London now. They informed me that there is no compulsory pilotage whatever in the Tay, which is a difficult pilotage; that it is purely voluntary; that a few years ago a suggestion was made, when they had a Bill before Parliament, that it should be made compulsory; and that every shipowner to a man was against it; that their service is excellent, and that it is subject to very strict regulation, although nobody is obliged to employ a pilot. I may also mention that the United Associated Chamber of Commerce has sent in a petition in favour of the abolition of compulsory pilotage.

226. Mr. *Turner.*] That does not comprise all?—No.

227. There are a great many not there?—I do not think they comprise Liverpool.

228. *Chairman.*] I think from Falmouth the Board of Trade have also received a communication?—I believe they have, but I have not got it here.

229. Will you now explain to the Committee the operation of the Bill for abolishing compulsory pilotage that is before the House?—There are two or even more questions which are often mixed up when the subject of abolishing restrictions on pilotage is spoken of, but there are two very important ones: the first obligation is that upon the shipowner to employ the pilot, and that obligation is the subject of the present Bill. Beyond that there is the restriction of the number of pilots; that is, the endeavour, on the part of the authority, to proportion the number of pilots to the wants of the place; and besides this, there are the regulations governing the pilots. Those two things are perfectly distinct from one another, and this Bill deals only with the first of those two restrictions. It proposes to put an end altogether to the obligation of the ship to employ a pilot. It leaves the position of the different pilotage authorities, with regard to the pilots whom they license, untouched.

230. You have already explained to the Committee that there are a considerable number of pilotage authorities and pilotage districts where pilotage is not compulsory, but where there is, as I have said, a pilotage authority and a regulated price. The effect of this Bill, as I understand from you, is to place the compulsory districts exactly in the same position as the non-compulsory districts are now?—Precisely; leaving them to the general law of pilotage as contained in the Merchant Shipping Act with respect to licenses, and leaving, also, their own Local Acts, except in this matter of obliging the ship to employ the pilot, precisely as they stand at present, and leaving the districts which are now compulsory in the same condition as those which are non-compulsory.

231. In these non-compulsory districts the pilotage authorities have now the right, if they think fit, to limit the number of pilots?—They have.

232. And they exercise that right?—In most cases I believe they exercise it.

233. In those districts under the operation of the Merchant Shipping Act of 1854, the licensed pilot has the right to supersede the unlicensed pilot?—Yes.

234. The effect of this Bill will be to place the compulsory districts in the same position?—It will.

235. It does not attempt to deal with the non-compulsory districts?—It does not touch the non-compulsory districts at all in any way.

236. Then in the compulsory districts the right of the licensed pilot to supersede the unlicensed pilot will remain?—It will remain.

237. No alteration of the law is effected?—None at all.

238. And the right of the pilotage authority, if they think fit, either to license an unlimited number or a limited number?—Yes; and their power to withdraw the license, to regulate the pilots, to require them to cruise at particular places, will all remain as it is at present. The case of Dundee is rather a striking case. The people there are entirely in favour of voluntary pilotage, and yet they have a very absolute system of regulations. They restrict the numbers; they require them to cruise at particular places, although the pilots find their own boats; they require the whole of the money to be paid into one fund, and they divide it equally among the pilots. There is a system of very absolute and complete regulation, and yet no obligation on the shipowner to employ the pilot.

239. Will you now explain to the Committee the operation of Clause 2, which deals with the compensation of pilots, and the possibility of employing them not being so much, after this Bill has come into operation, as it now is?—The effect of this clause would be, that if, within a given period, and not after a given period, it is shown that the employment of pilots has diminished by reason of the operation of this Act, then that the supply should be proportioned to the demand; that is to say, if the demand for pilots has fallen off, then it should be competent

Mr. *T.H.Farrer.*

25 March 1870.

to the pilotage authority to proportion the supply to the demand by withdrawing a certain number of pilots, and that those pilots should be superannuated, and receive pensions out of the public Exchequer, with the consent of the Board of Trade and of the Treasury, the Board of Trade being satisfied that the falling off in the demand for pilotage, or in the remuneration to the pilots, had been caused by this Bill.

240. During that interval, the local authority would not have the right of increasing the number, without at the same time taking away from the pilots their right to superannuation under this Bill?—That is so.

241. But after the expiration of that period, it will be competent for the pilotage authority either to license an unlimited number, or to continue in their present practice of licensing only a limited number?—Quite so.

242. In that respect, therefore, the law will remain unchanged?—In that respect the law will remain unchanged.

243. Mr. *Graves.*] I have been struck by the fact, that in your evidence you have omitted any reference to the question of life; have you considered this question of pilotage in its bearing upon the protection of life?—The whole principle upon which this Bill proceeds, is, that ships will be just as much piloted, and as safely piloted, under a voluntary as under a compulsory system; and the safety of the ship involves the safety of the lives on board the ship.

244. Can you draw any distinction as to the greater safety of life under a compulsory system, or under a voluntary system?—Do you mean by that, to ask, whether we have any statistics showing the difference?

245. I desired to know what your own feeling was with reference to the comparative safety of life in a vessel entering a port where the system of pilotage was compulsory or voluntary?—If I were going myself in a vessel into a dangerous port, I should prefer that the system of pilotage should be voluntary, and think myself probably safer in that case.

246. Was not the primary object of the compulsory system of pilotage originally to ensure greater safety to life and property?—I suppose so; but the origin of it is lost in the darkness of the Middle Ages. I suspect that this is one of those careful restrictions upon free action which were exceedingly common in the days of guilds, but which have been gradually done away with. I only guess that, for I do not know it. I guess it, because I find in the earliest Acts of Parliament that we have relating to the pilotage of the Thames, symptoms that the compulsory pilotage then existed there, and that the examples of those systems has been followed in the cases of the later ports, ports which have grown up more recently, such as Liverpool.

247. Are you at all aware, in speaking of Liverpool, that up to the year 1776 there was a voluntary system of pilotage in Liverpool?—No, I do not profess to know the early history of pilotage in Liverpool; but the great trade of Liverpool, of course, has grown up since that time.

248. Probably you would not either be aware that it was altered at the instigation of the merchants and shipowners of Liverpool, and then, for the first time, placed under a compulsory system, and under a board?—I do not know much of the early history of the Liverpool pilotage system.

249. Would that alter your view, if proved to be the case, with regard to the fact that compulsory pilotage had been derived from obsolete guilds, so far as Liverpool is concerned?—So far as Liverpool is concerned, I know that everything in Liverpool is modern. I was speaking of the origin of the system, which is easily transplanted from a place where it exists, and has come down from the Middle Ages, into a newer port.

250. Are you of opinion that the preservation of life should still be the primary object of legislation?—The safety of ships undoubtedly is the primary object of all systems of this kind. Life is involved in the ship. If the ship is safe life is safe.

251. In a memorandum, which you have handed in to the Committee, on Compulsory Pilotage, No. 70, you say, "It is no part of the business of Government to take a ship out of the hands of those most interested in her safety; and that merchants, shipowners, and insurers are much better judges of what they need than Government can be." Is it not your opinion, the duty of the Government to protect by legislation the lives of the crews of vessels, just as much as it is the vessels themselves?—In my opinion, a good shipowner, or any shipowner, is much more capable of protecting the lives and the property on board his ship than the Government is able to do it for him, and much more likely to do it well.

252. I believe the Act of 1854 expressly recognised compulsory pilotage?—Certainly.

253. And required that all home trade passenger ships should take pilots?—I have told the Committee that that obligation was imposed as a general obligation on home trade passenger ships for the first time by that Act, and I explained what the origin and object of that section were. The object of that section was not so much to compel the home trade passenger ship to take a pilot, as to induce the owner of the ship to require his masters and mates to make themselves competent in the matter of local pilotage, and pass an examination in it. I speak of Mr. Cardwell's object.

254. That Act did for the first time give a statutory right to salvage for life?—It did. I think it had been contemplated in a previous Wreck and Salvage Act; but I think that Act was imperfectly drawn, and the effect was not what was intended; but the Merchant Shipping Act is the first that did it effectually.

255. Your impression is that the section requiring home trade passenger ships to take pilots had no reference whatever to the protection of life?—I do not say that at all. What I say is this: as I told the Committee a system of examination in navigation for the masters and mates of foreign going ships had been established in 1851. It was to a certain extent successful, and the question arose whether it should be extended to coasting ships. Mr. Cardwell thought that it was not desirable to interfere with the smaller class of coasters, and that it was desirable to impose some conditions upon those who navigated coasting, or rather home trade passenger ships. The question then arose, in what were they to be examined; because the same quantity of navigation was not necessary for them, and local knowledge was. There was a difficulty in the

Board

Board of Trade laying down any general rules as to examination in local pilotage; and the mode that Mr. Cardwell adopted to meet the difficulty, was to say that they should be compelled to take a pilot unless they proved themselves competent by examination to navigate their ships in the local waters. That was the history of that clause.

256. I believe, as a fact, the Board of Trade has invariably reminded any pilotage authority of the omission where they have found that the home trade passenger ships not having licensed masters sailed without pilots?—I am not aware that the Board of Trade have ever interfered in any way to enforce or induce the local authority to enforce the obligation to take a pilot. I should rather say that it was the contrary. The case that I put in the other day fram the Dublin Ballast Board, shows the line which the Board of Trade has taken upon that point. The Dublin Ballast Board thought themselves responsible for the lives in a steam ship that went from Dublin to Kingstown, which had been safely navigated for a great number of years by its own master. The Steam Ship Company had complained to the Board of Trade. The Board of Trade referred to the Ballast Board. The Ballast Board said that they held themselves responsible, and the Board of Trade pointed out to the Ballast Board that the shipowner was a much more responsible, and a much more effectually responsible, party than the Ballast Board could be.

257. Has not the whole current of legislation of late years been in the direction of giving a compulsory protection to life by the licensing of masters and mates, the surveying of ships, and the victualling of them, and the liability, generally, of shipowners and railway companies in case of loss of life? — Those different things that you mention go in such very different directions as far as the principle is concerned, that it is a little difficult to say that there has been any general tendency. The imposing liability upon the shipowner, or upon the railway carrier, by Lord Campbell's Act, is not only a different thing from imposing restrictions upon them in the shape of Government superintendence, but the two things are inconsistent with one another. If you impose by law, as you have done in the case of pilotage, obligation upon the shipowner to take the pilot, you naturally relieve him from responsibility. I think there has been legislation in both directions, and I do not think that legislation is exceedingly consistent.

258. You are not, on the whole, prepared to say that the tendency has been in the direction of greater compulsory obligation for the protection of life?—It is too large a question to answer without a great deal more dissection.

259. There is now a Bill before the House called "The Merchant Shipping Bill"? — Yes.

260. Do you consider that that is more stringent in those clauses and principles for the protection of life and property than the present law?—No; I do not think it is more stringent than the present law.

261. I believe that Bill was drawn very much under your knowledge and cognisance?—I have had a great deal to do with it.

262. That portion of the Merchant Shipping Act which requires home trade passenger ships to take pilots is apparently omitted from that Bill?—It is omitted from that Bill.

Mr. *T.H.Farrer.*

25 March 1870.

263. Will you give the Committee the reasons for that omission?—The reasons for that omission are the same reasons which have induced the Government to introduce this Bill for the abolition of compulsory pilotage. There were special reasons with regard to that, which I think I mentioned to the Committee on the former occasion. It was Mr. Cardwell's intention that masters and mates should be examined in local pilotage. To a certain extent that has operated, but, as was said by one of the shipowners, Mr. Anderson, I think, before Mr. Lindsay's Committee in 1860, the inducement has not operated to the extent that it was intended to operate, because when the master is examined the ship is exempted from the obligation to carry a pilot, and then, whether she has a pilot or not on board, the owner is liable for any damage that she does. Consequently, if the master and mate are examined, the owner no longer gets the benefit of exemption from liability. One provision of the law defeats the other.

264. If I remember rightly, you read some extracts from some portions of the evidence given by Mr. Dunbar and Mr. Besley before the Committee of 1860, to show that their desire to retain compulsory pilotage arose, to a large extent, from the non-liability of the owner which was involved?—Yes.

265. Have you got the evidence before you? —Yes.

266. Will you kindly turn to the evidence of Mr. Thomas Eustace Smith (4720, page 419), of the firm of Thomas and William Smith & Co., largely interested in shipping, I believe?— He is a well-known shipowner.

267. Will you read his opinion upon this question in 4720 to the Committee; he is asked, "Will you proceed with any other statement which you have to make"?—His answer is, "The question of compulsory pilotage, I believe, has been brought before the Committee. I should wish to express my opinion that there are a great number of ships which are engaged in foreign trade, such as the Mediterranean and the Indian trade, which are then taken down the east coast in ballast, and that if the pilotage be compulsory for the protection of the lives of the crew, which I believe to be the object of it, I think that the doing away with it would be attended with great loss of both shipping and lives. I think that the compulsory pilotage of ships going down the coast is absolutely necessary for the protection of the lives of the crew and of the ships themselves. I think it is highly undesirable that a man who has been in the Indian trade for perhaps ten or a dozen years, and who once a year goes down the coast, should be allowed to take that ship down without a pilot."

268. He clearly is of opinion that the question of life is one which he regards as apart from the question of liability or non-liability of the shipowner?—I take it that Mr. Eustace Smith is one of those shipowners who would always under any circumstances employ a pilot, and he is anxious not only that he should employ a pilot himself, but that the law should compel all his brother shipowners to employ a pilot.

269. It is no selfish interest that makes him give the evidence that he has done?—He would employ a pilot under any circumstances.

270. Now with reference to the question of liability

Mr. *T. H. Farrer.*

25 March 1870.

liability of the owner, supposing that that question was settled and clearly defined, and that the pilot's duties on board a ship were as clearly defined, would you still advise that the system of pilotage throughout this kingdom should be entirely voluntary?—Yes, I would.

271. Apart from the question of responsibility or liability of an owner, and altogether apart from the question of the duties of a pilot being defined, you still advocate the voluntary system?—I do.

272. In the Bill before the House, if I remember correctly, the principle involved with regard to pilotage is entirely different from the Bill before this Committee?—It is.

273. That Bill was introduced last year?—It was.

274. And in that Bill you recognise the principle that pilotage being for the benefit of all, should be contributed to by all?—Certainly; that was the principle of the Bill of last year.

275. Now you have abandoned that principle?—Yes.

276. And you leave it optional with any shipmaster to take a pilot or not?—Yes. Perhaps it would be right that I should explain the reason for that change. It was thought when that Bill was drawn, that it was desirable to make a change in the direction of freedom not too rapidly. The main argument, in fact, I might almost say the only argument, in favour of a system of compulsory pilotage is that without it you will not be able to keep up an efficient pilotage system. In drawing that Bill, it was thought desirable so far to yield to that argument as to make the ship contribute, although not obliged to take the pilot. In doing that you would have got rid of all the difficulty about the liability of the owners. You would have put the pilot and the captain in the true position; but still you would have retained the burden on the ship. It was found that that Bill was entirely disapproved. I believe shipowners everywhere said, "No; do away with the obligation to take a pilot; if you compel us to take a pilot, let us have the benefit of the exemption from liability." We found it was impossible to stop at that point; therefore, in the Bill of this year, it was found that, like other half measures, we did not succeed; and it was found that you must go to the full logical extent, and do away with the obligation; and in addition to that, I think that Bill was drawn rather to meet the apprehension which existed out of doors then, not apprehension which existed at the Board of Trade; for I think we have all been satisfied for a long while, that there would be just as efficient pilotage with a voluntary as with a compulsory system.

277. Will you divest your mind for a moment of all questions of liability, and state to the Committee, whether you think it is perfectly wise, that where a pilot service is conducted in an efficient manner for the benefit of a whole community, the whole community should not be compelled, where they have the option of seeking the advantages of it, to contribute towards it?—I think the best answer to that is to be found in the representations that are made by the steam-ship owners, and by the small sailing-ship owners; such, for instance, as those that I put in from the port of Runcorn. They say, "The large shipowner always wants a pilot. We do not want one. Why should the large shipowner tax us in order to pay for the pilot that he wants." That is what the steam-ship owners have said. "Our masters are perfectly able to conduct our vessels. Why should we be taxed in order to support pilots for the benefit of the large Liverpool sailing-ship owner."

278. Then I apprehend you would consider that though the service is maintained for the benefit of all, there is no occasion to require that all should contribute to it?—If it were proved by experience that you could not maintain such a necessary thing as a pilotage service without making all contribute, I might possibly be induced to think that you ought to make all contribute; but where all experience that we have of the other system is, that pilotage service will be just as well maintained under that as under the compulsory system, I think at any rate you ought to try freedom first, and not tax persons for what they do not want, in order to keep the thing up till you know that it is absolutely necessary.

279. You propose that only those who use shall pay?—That is what I would propose.

280. Will you let me bring you for a moment to the question of the lighting of the coasts of this kingdom; there are lighthouses all round the coasts, do all contribute to these, or merely those who use them?—The endeavour is to make the tax fall upon those who use; of course it is done only in a rough way, and there are persons who pass lights in the daylight who do not want lights, but it is impossible to tell at what period of the 24 hours their voyage will commence; on the whole, the endeavour is to make those who use, pay.

281. As a fact, I believe vessels invariably pay whether they use them or not?—A vessel pays when she passes them; the captain may shut his eyes to them if he pleases, but there is the lighthouse for his use, if he wants it.

282. What would your range of vision be; would you say 50 miles or 100 miles?—If by that you mean that there are certain anomalies in the present system of charging the light dues, I am ready to admit it; and it is the intention of Mr. Lefevre to try and do away with some of those anomalies.

283. Still I am correct in my supposition, that the principle you laid down in regard to lights is different from the principle you wish to lay down with regard to pilotage?—No, I do not admit it at all; our principle with regard to lights is, that those who use them pay for them, fitting it as well as we can to the facts.

284. Would you call a vessel coming within 100 miles of a light using that light?—I may at once explain to the Committee that the present scale of light dues was fixed at a time when steam was not in existence to the same extent as now, and when sailing vessels did not make the direct course which steam vessels make now, and consequently vessels were supposed to pass or to be likely to pass a great many more lights than they do now in their voyages to or from the coast, and in that way many anomalies have grown up; but we are trying by degrees to get rid of those anomalies and to make only those vessels which really pass the lights pay for them.

285. Let me ask you to bring your mind for a moment to the latest legislation in connection with lights, I mean the Act of last year, for the erection of a lighthouse at the Great Bass's Straits; that Bill, I believe, was brought in to the House by the Board of Trade?—Yes.

286. There, I believe, you have adopted the principle that all must contribute to it who pass within

within a certain latitude and longitude? — It is so.

287. And, as a matter of fact, vessels going to India in certain monsoons, do not pass within 500 miles of that light, and yet have to contribute to its maintenance? — Not having been prepared for this, I am unable to say exactly what the rule is about their payment; but I know that it was settled by the nautical advisers of the Board of Trade in such a way that those vessels which, according to the monsoon, should pass near or might pass near the light, should pay, while those which the monsoon drove to a distance from the lights should not pay. Going one way they pay, I know, and going another way they do not pay, but I cannot exactly state the rule.

288. These lights were principally built, I think, for the benefit of the Peninsular and Oriental Company's steamers going from Suez to India?—That light was built for the benefit of all vessels that round Ceylon and go to Calcutta, or go up into the Bay of Bengal.

289. But primarily for them; I think they use it more than any others?—I have no doubt it is of more value to them than any others, and they pay more for it than any others, because they pass it more frequently.

290. I suppose I am correct in my impression that all vessels going to Calcutta, no matter whether they sight the light or go near it, or some 500 miles from it, pay for the support of that light?—The intention of the Act and Order in Council, which were framed with the advice of the best nautical authorities, was that all those vessels that make such voyages as that it was likely the light would be a benefit to them, should pay.

291. That is the last legislation on this question; so that it would rather be to show that the tendency is not quite in the direction you have pointed out?—The intention may not have been properly carried out; upon that I give no opinion; but the intention with regard to that was precisely what I say is the true principle with regard to pilots, namely, that the ships which use should pay.

292. You have defined compulsory pilotage in your paper:—"By compulsory pilotage is meant a system which first of all fixes by authority the number of pilots which the trade of any given port is supposed to need; and then, in order to secure them employment and remuneration, proceeds to require that all ships frequenting the port shall employ them"?—I have said there are two different obligations. What is meant by compulsory pilotage in this Bill is a state of things where it is obligatory on the shipowner to employ the pilot.

293. Do you regard the present system, known as compulsory pilotage, as really compulsory in its operation?—I have said that it is necessary to keep the two things perfectly distinct; the obligation on the shipowner to employ the pilot, whether he wants him or not, is a perfectly different thing from regulating the pilot service.

294. I think you stated in evidence, that at the port of Hull there are 103 pilots?—103; that is the number of pilots who are licensed by the Hull Trinity House, including the out-districts as well as the Humber.

295. There appears to be 283 masters and mates licensed in Hull?—Yes.

296. In the Clyde there appear by that Return to be 32 pilots licensed, and there are 133 masters and mates licensed?—Yes.

297. Can you call it, strictly speaking, a compulsory system that admits of such expansion as that?—I think one ought to add to that, that at Liverpool there are 241 pilots and only 10 masters and mates licensed.

298. There is, practically, no limit to the numbers under the provisions of the Merchant Shipping Act?—There is no limit. The intention of the Merchant Shipping Act was that every master or mate who was competent should be able to get a license, and so, of course, there is no limit, and was intended to be no limit, to the number who might thus prove themselves competent, but they are not pilots.

299. They pilot their own vessels?—They are only at liberty to pilot their own vessels.

300. You have referred to Liverpool, and said that there are only 10 pilots licensed there last year?—Ten masters or mates licensed.

301. Granted certificates?—Yes.

302. Could you give the Committee any information as to the number of applications at that port for pilot licenses within the last 10 years?—No, I cannot. All that I know is that the owners of steam vessels seem to have an insuperable aversion to attempting to get their officers licensed by the Pilotage Committee at Liverpool. Of the merits I am unable to speak.

303. Are you aware there were only 36 applicants for pilot licenses since 1859 received at Liverpool?—I was not aware of the number. I should quite believe that they were very few.

304. Probably you would not either be aware that 27 of those 36 have passed and received licenses?—No, I did not know that fact. I am unable to speak to it.

305. Would the fact that there were only 36 applicants, and 27 were licensed, alter your views at all with regard to the liberality or otherwise of the pilotage authorities in granting licenses?—I told the Committee before, that in the course of the last two or three years, the Board of Trade had declined to examine at Liverpool at all: believing from the correspondence, that the Mersey board intended to act fairly in the matter of the examinations, and in the Papers that I put in will appear all the correspondence, showing you what took place, and why the Board of Trade thought so, but beyond that I know nothing. All that I know is that the owners of steamships seem to have the most rooted aversion to sending their masters and mates to the Pilotage Committee to be examined. I think it will be for them to explain why; I am unable to do so.

306. I think you are aware that the Mersey Docks and Harbour Board was only created in 1857?—I am quite aware of that.

307. And that they became the pilotage authority in 1859 on the 1st of January?—Yes; by the Act of 1858.

308. Did the Mersey Docks and Harbour Board seek to have the control of the pilots, or was it forced upon them by Parliament?—If I remember rightly, it was the doing of the committee which created the Mersey Docks and Harbour Board, which compelled them to bring the whole pilotage subject before the Committee of the following year; that is my recollection. Sir James Graham's Committee of 1857 I think inserted a clause into the Bill of that year, which created the Mersey Docks and Harbour Board, requiring them, in their Consolidation Bill

Mr. *T. H. Farrer.*

25 March 1870.

of the next year, to bring the subject of pilotage before Parliament.

309. So that the Mersey Docks and Harbour Board were not willing, in the first instance, and did not seek to assume the responsibility of controlling and managing the pilots of the port of Liverpool?—They were hardly in existence. I do not think it was their seeking; I think it was rather the doing of Parliament, if I remember rightly.

310. May I ask you if the Mersey Docks and Harbour Board is not, to a certain extent, composed of representative members of the Government?—It cannot be said that it is composed of representative members of the Government. The Admiralty put upon the board two or three members. That was part of the original constitution of the board; but those persons were put on rather for the purpose of redressing what was supposed to be a local inequality, than for any other purpose. They do not represent the Government, they represent certain local interests.

311. As a matter of fact, probably you would be able to state that there are four members of that board out of 28 nominated directly by the Government?—There are four members nominated by the Admiralty, all, I think, local persons.

312. In your evidence on Tuesday you referred to the Order in Council reducing the rate on home trade steamers to 1 *s.*, as contrary to the 354th section of the Merchant Shipping Act of 1854?—Not as contrary to it at all; I said that the officer of the Mersey Dock and Harbour Board in the correspondence which passed two years ago, stated that that Order in Council was the result of what he called "an unholy alliance" between the coasting steamers and the pilots. He thought the intention of the Act was, that the ships should be navigated by a pilot or by an examined master; and he thought that the steamers had tried to get out of that obligation by giving something to the pilots, and that the pilots had accepted that money without any additional security for the lives of passengers. I did not say that I agreed with him at all; I said I did not think it was an unholy alliance; I thought the steamers got as much as they could, and the pilots got as much as they could.

313. Are you not aware that the Order was made under Mr. Cardwell's Act of 1853; before the Act of 1854 was passed, and that it was passed with the assent of the Board of Trade?—It was no doubt passed with the assent of the Board of Trade, and if a similar Order were sent to the Board of Trade now they would agree to it, probably.

314. And it was before the Act of 1854?—That I cannot speak to.

315. This is the Order in Council which I should like you to look at (*handing same to the Witness*)?—I do not think the difference of date really affects the question at all, because the fact then would be this: prior to 1853, under the Liverpool Local Act, all coasting steamers were obliged to take a pilot. Under the Act of 1853, which, as I said, Liverpool opposed, power was given to the Board of Trade to examine the masters and mates in case the Liverpool Pilotage Committee should refuse to examine them. No doubt, pressed by that, and feeling that the Board of Trade would examine if the Liverpool Pilotage Committee agreed to this Order in Council, by which no safeguard whatever was taken for life, but by which a smaller sum was taken from the steamers, and they were exempted from the necessity of taking a pilot.

316. The Mersey Docks and Harbour Board are in no way responsible?—No, not the least in the world, for the passing of the Order in Council. But that Order has been in force for the 13 years during which they have been the pilotage authority, and it is still in force. I rather think that members of the old Pilotage Committee were at first and still are members of the Pilotage Committee of the Mersey Docks and Harbour Board; but I do not speak with certainty.

317. You seem to have some impression on your mind that there has been some unwillingness to give licenses to masters and mates who pass a certain examination. I should like to ask you, if you have had any appeal within the last few years from any of those men who failed to pass an examination before the pilotage authorities of Liverpool?—I do not think we have had any appeal lately. I have referred to a good deal of correspondence about it in early times, and I have put in some correspondence, showing the extreme unwillingness of the City of Dublin Steam Navigation Company to send their masters and mates to be examined. I am unable to call to mind that we have had any actual appeal from the decision of the Mersey Docks and Harbour Board.

318. Do you draw any distinction in your own mind as to whether a voluntary system is as applicable to one port as to another all round the kingdom?—It seems to me that one falls back upon the simple principle that where the pilot is most wanted there he will be found, and that, however different the circumstances are, the greater the demand the greater will be the supply; the greater the need the greater will be the demand, and where the demand is there will be the supply; therefore I do not think there is any difference between one port and another in that respect.

319. If I understand you correctly, you propose that the pilotage authority should have power to limit the number of pilots?—I propose that the pilotage authority should be left with the same power that it has at present.

320. You still would leave the question of supply and demand entirely to local authorities?—To the local authorities, as at present; at any rate for the present, whatever may be the ultimate result.

321. In the memorandum which you have handed in to the Committee I have noticed you use the expression that the pilotage authorities are nobody?—It is a very inadvertent expression, if I used it.

322. It is in the first paragraph, page 5, "In the ports last mentioned, both shipowners and pilots are better satisfied than they were before 1861; and there is the further great difference, that in the former case the responsibility rests with the employer, in the latter with the Government, Legislature, or pilotage authority; in other words, with nobody"?—That passage certainly does not mean that the Legislature and Government pilotage authorities are nobody. What it means is this: that there is no real responsibility when you place it upon a Government or upon a pilotage authority. Where the shipowner is responsible for his ship, there is responsibility; and where you ask the Board of Trade or a pilotage authority

authority to be responsible for a ship, there is no responsibility.

323. Still you propose to leave the fixing of the number to these pilotage authorities, to which you have alluded in this memorandum?—We say nothing about what the ultimate result may be in that respect. It is quite clear that in some places the numbers require to be increased, but this in no way interferes with the discretion of the pilotage authorities. I have said there are a great number of places where pilotage is free, and where yet the pilotage authorities find it desirable to restrict the number. This Bill does not interfere with that the least in the world.

324. Do you think that the system which would answer for the Hooghly or the Mersey, or say from Gravesend to the sea, requires no more skill than the pilotage, say, out of the port of Cardiff to Cardiff Roads?—I do not say anything of the kind; but I say that if it requires more skill, there will be a greater demand for pilots and a greater supply.

325. I think you based your argument very much upon the argument, that because the voluntary system of pilotage answers at certain ports—say, on the east coast, and at Gloucester, Cardiff, and Cork—that, therefore, it is applicable to every port in the kingdom, or every river, as for instance, the Hooghly in India, the St. Lawrence, the Mersey, or from the Thames to the sea?—What I said was that, *primâ facie*, the greater the need for the pilot, the greater the skill wanted; the greater the difficulty of pilotage, the greater would be the demand for pilots, and consequently the more complete the supply. That is what I said as a general principle, and then I said, that in order to prove that that did not apply to the case of pilotage, as it does to every other department of human life, you ought to show that the free system had failed, and I said that was far from being the case. There were ports in almost every possible condition round the coast in which the system was free, in which the supply was ample, and quite as good, and even more satisfactory, than where it is compulsory. I believe, if you take the different ports, you will find that there are ports of equal difficulty where the pilotage is free.

326. I will read to you a part of that paragraph to which I have alluded, "that it is necessary in order to maintain a competent supply of pilots;" then you give your reasons for that, "a practical answer to this reason seems to be that in those parts of this country where pilotage is voluntary, the supply of pilots is as good as where it is compulsory; at Cork as at Falmouth, at Newcastle as at Liverpool, on the north as on the south side of the Thames. In fact, where pilots are really wanted, they are as much, or nearly as much, employed under a voluntary as under a compulsory system. In the Bristol Channel where pilotage to Newport, Cardiff, and Gloucester was made voluntary in 1861, the pilots as a whole do more work and earn more than they did before the change"?—Quite so; you mentioned the Hooghly. The case of the Severn is, I believe, a case of very difficult pilotage; nobody goes up the Severn without a pilot, although it is voluntary, but everybody is better pleased, because the people get what they want.

327. Have you much experience of any of these ports to which you have alluded?—I am no sailor; I speak at second-hand.

328. Are you aware that at Cork the pilot boats are all owned by ship agents and not by pilots?—No; I do not know anything about that.

329. And that they are, therefore, not as much under the control of the pilotage authorities as they would be if owned by pilots?—I am informed that the pilotage system, however it is managed, at Cork is perfectly satisfactory.

330. Are you aware that pilots in Queenstown serve no apprenticeship?—No; I am not.

331. Are you aware that the masters of Her Majesty's ships going into Queenstown have, owing to the safety of the harbour, orders not to employ a pilot?—No, I am not aware of that.

332. The pilotage at Cardiff is voluntary?—Yes.

333. Are you aware at all of the number of vessels that are merely piloted from the dock into the roads at Cardiff, as compared with those that go to sea?—No.

334. The pilotage in merely over a short canal?—I am not acquainted with the local pilotage of Cardiff at all. I should like to mention a fact as to Newport. I happen to have heard this yesterday; the harbour authorities were at the Board of Trade, and they gave me an account of the effect of making pilotage voluntary at Newport, and they said it was most satisfactory; pilots are better employed; more are to be found at their stations, and they are better paid, and the shipowner better served. That has been the effect of the change from compulsion to freedom.

335. I am now merely speaking of the geographical position of these ports; are you aware that the pilotage in the Tyne ports, from sea into anchorage, say Shields, is a distance of less than two miles?—It is a short pilotage into the anchorage at Shields; but it is an entrance about which there is often a great deal of difficulty, and the pilotage of the river above, where the pilots are very much employed, is as difficult as that of any other river.

336. Are you aware that there are very great tidal peculiarities in the Severn, going up to Gloucester?—I know that it is said to be a very difficult pilotage.

337. And that no man would think of bringing his vessel up or down without a pilot?—Precisely; and therefore he always employs one.

338. So that under a voluntary and a compulsory system it would be the same?—It would be the same in so far as that the pilot would always be employed; but the relation between the pilot and his employer would not be at all the same. In the one case the servant is forced on the owner, whether he is satisfactory to the owner or not; in the other case, the owner only takes him if he is satisfactory. Whatever the extent of the pilotage difficulties about any port, to that extent the shipowner will be glad to employ a pilot at that port.

339. Do you practically find that the Board of Trade has as much control over the pilotage authorities where the system is voluntary as where it is compulsory?—The only difference between the two cases is, that where it is voluntary the Board of Trade have no occasion to examine masters or mates, because they do not want to be licensed in order to exempt their vessels from compulsory pilotage; that is the only difficulty. In every other respect, whatever powers of control the Board of Trade have, which are very small, exist as much in the voluntary as in the compulsory districts.

Mr. *T.H.Farrer.* 25 March 1870.

340. Have you got the Parliamentary Paper 178 of last year, the pilotage returns of each port?—No.

341. I will hand it to you (*handing same to the Witness*). Sunderland is, I believe, under the voluntary system?—Yes.

342. Will you read the foot-note at the bottom of that return from Sunderland handed in by the Board of Trade?—"The source from which this information is derived is the return which, under bye-law No. 8, the pilots are required to send in, at the expiration of each month, of the number of vessels piloted by them during the month, and the sums received for pilotage, but from the irregular manner in which these returns are made, notwithstanding frequent remonstrances on the part of the Board, this return is necessarily deficient and imperfect; neither do the returns sent in by the pilots show whether the vessels piloted by them were towed by steam, but nearly all the vessels entering and leaving the port (except small coasters) employ a steam-tug." I suppose the pilotage authority of Sunderland does not think it worth while to enforce the returns accurately, but I said before with regard to those returns altogether, when we came to use them this year we found them imperfect and of very little use.

343. You have read to the Committee a statement as to Runcorn, showing that the pilotage of the port of Liverpool was kept up very much for large shipowners, greatly to the injury of the coasting trade visiting the port of Runcorn; have you any idea of the number of coasters visiting the port of Runcorn last year?—No.

344. As between the 7th April 1869, and the 18th March 1870, not quite twelve months, are you aware that the number was 3,562?—No.

345. That out of that number there were 3,370 exempted from pilotage?—No.

346. Leaving under 200 vessels inwards (I speak of inwards because I could not get outwards), subject to compulsory pilotage?—Mr. Steele wrote to me yesterday to say he should be exceedingly willing to come up and give evidence on the point, and to procure witnesses. I know nothing beyond his letter.

347. Do you know anything of the estuary of the Mersey?—I do not know it, as a sailor, the least in the world.

348. Do you know anything of the dangers of the navigation; have you any impression about it as to whether it is at all different from the ports of Cardiff and Gloucester?—No, I know nothing about it, except what I hear from others, and what I hear from the Trinity pilots when they come to us, and from those who manage the pilotage in the Thames, who tell us that the pilotage of the Thames is to the full as difficult, and more difficult, than the pilotage of the Mersey, but beyond that I do not know anything about it.

349. You know Admiral Evans, the Conservator of the Mersey, I presume?—Yes.

350. He is a distinguished naval officer, is he not?—Yes.

351. Have you read his last report on the Mersey for 1869?—No.

352. I will hand it to you (*handing same to the Witness*); may I ask you to read that portion of his report beginning at No. 525?—"The water bailiff's returns show a list of 68 casualties and wrecks in 1869; of this number 20 were total wrecks. The barque 'Empress' of 350 tons being the only vessel of any size amongst them; the remainder were small vessels, flats, and schooners without pilots, and mostly of a class not able to contend with bad weather. The introduction of steam flats is gradually superseding this inferior class, and will tend to diminish such casualties. The remaining 48 cases consisted of vessels grounding on the banks for short periods, which were generally got off without sustaining any material injury. Of the wrecks that caused any obstruction to the navigation, eight were removed by the water bailiff, the remainder by the owners, or have totally disappeared. The number of wrecks and casualties here mentioned is considerably less than that of the previous year, and compared with the prodigious traffic of the port may be considered a small percentage. From the small number of casualties noted as occurring to ships in charge of pilots, it will be understood that the pilot service of the port is maintained in creditable efficiency. Cases have sometimes been recorded in which outward-bound ships on parting with their pilots at the Bell Buoy, have, on meeting the flood-tide, found themselves almost immediately involved in difficulties. By a recent change in the regulations, masters of ships have the option of retaining the services of pilots beyond the limits of compulsory pilotage district, an arrangement which in such cases cannot fail hereafter to be beneficial." So far, that is a step in the direction of freedom. But there is a letter which I have received this morning, which bears a little upon this point, if the Committee would like to hear it; it is from Mr. Forwood, of the West India and Pacific Steam Ship Company; it goes so very much to many of these points, that I think it will be interesting. It is headed, "Compulsory Pilotage," and he says:—"Dear Sir, I have read with much interest the particulars of your evidence before the Select Committee upon the Abolition of Compulsory Pilotage, and even at the risk of appearing somewhat presumptuous, venture to offer a few remarks upon this question, more especially as far as it affects our port. There can scarcely be two opinions amongst those who have any extended knowledge of shipping matters, as to the most unsatisfactory effects of the legal decisions based upon the present compulsory pilotage system; under it the management of vessels is transferred entirely from the trained masters and officers to the hands of a pilot, generally a man of second-rate abilities and efficiency, as regards his seamanship and navigation, removed only from his status of an A. B. by his particular and special knowledge of the landmarks and soundings of the channels or seas in which he navigates. Place the pilot in his proper position as the master's chart of the district, leave all the responsibility upon the masters, and you will have fewer accidents to shipping entering or leaving our ports. In my experience of 10 to 15 years in the management of sailing vessels and steamers, I have had three collisions of consequence, two of which occurred in the river Mersey; in both the pilot was in fault, and the master in both instances acknowledged they saw the danger the pilot was incurring, but they feared that by interfering with his orders, and the collision not being averted, the loss would be the owners, which, of course, was avoided by letting the pilot alone. The clause in the new Merchant Shipping Act meets this, and, I suppose, can remain, even if the Bill for abolishing compulsory employment or payment

ment of pilots does not pass, but I even hope you may succeed in this, and that Liverpool may not be made an exception to the Bill. I believe I am in the minority here upon this point, but I fear that the years of connection between the old pilot service of Liverpool and the shipowning community has caused a feeling to grow that all are one family, and have become, like family ties, difficult to sever, and that this sentiment has prevented there being any great consideration to the merits of the compulsory system in this town. To my mind the present pilotage system is narrow and cramped, and so ties down the pilot to one groove, that the individuality of the best men is lost in the crowd. It destroys that motive of self-interest which stirs men up to excel in their calling more than anything else. If the right to pilot a vessel is thrown open to every man who came before a board of examiners to prove his fitness to act as pilot, you will obtain a better educated body of men, and as the best men will win the shipowners' confidence, we shall have a far greater motive for a man to strive to please than the present incentive to well-doing, which is simply to avoid being brought before the committee and getting a black mark. Not one tithe of the complaints that shipowners have against the pilots come before the committee of management for the following, among other reasons: it involves trouble; it may prejudice the owner amongst the pilots, and it is too indirect a way of conveying to the pilot in fault the censure of the shipowner. The best and most direct censure upon a pilot would be for him to lose any future employment from the shipowner. Of course I may be met by the statement that if I am owner and dissatisfied with a pilot, I can take another from the same boat. This is true; but the men belonging to one boat are too much like the boat, a body corporate, insensible to such rebuff. A few words upon the financial question. Our working pilots are not over-paid; but too much of the earnings go to the ineffective or inactive service, and too little to the men. A close system must lead to this end, and nothing could be closer than the pilot boat-ownery, which absorbs so much of our pilotage payments. The great arguments of the upholders of the present system are, the difficult character of the navigation of the approaches of the Mersey, the necessity of our pilots keeping their look-out for vessels afloat, and not from the shore, and that the prevailing winds make our neighbouring coast line a lee-shore. To this I would urge primarily, when there is money to be made there will be found men ready and anxious to earn it, and that the trade of the port is so large, and the amount of pilotage to be obtained so considerable, that there is ample inducement for men and vessels to be employed in a free pilotage service, in which healthy competition would lead to a vast improvement over our present system, and instead of all our pilots remaining within 30 miles off the port, our masters would find them on entering the Channel, and many a vessel be saved which is now lost from the master's ignorance of channel navigation, particularly off the south-east coasts of Ireland. In conclusion, allow me to say that the pilots of Liverpool are a first-class body of men, as efficient as the system under which they labour will permit; seldom shirking their duty, be the weather ever so bad; but I believe the journeymen pilots' position, under a free system, would be improved, and the shipowner be better served; and, therefore, I advocate the change."

353. Mr. Forwood's suggestions do not, as it appears to me, agree with the views of the Bill now before this Committee; it is an entirely different suggestion?—To the extent to which this Bill goes those suggestions agree with it; but they go, as the representation from the Shipowners' Society of London goes, beyond this Bill. They would take away from the pilotage authorities the discretion of limiting the number.

354. Mr. Forwood, apparently, desires to give scope to the individuality of enterprise and energy; I do not see in what way the system as proposed in this Bill is to alter that in the slightest degree from the present system?—Because the shipowner would not take the pilot unless he found him useful.

355. You propose that the pilot should remain with all the compulsory obligations which exist at the present moment under the pilot authorities; and you make no distinction whatever, under such a system, between the energetic and enterprising pilot and the indolent, lazy man, who wishes to remain as near his own door as he can?—It is thought that the pilotage authority will be the best judge to what extent they can introduce a further system of freedom. This Bill does not propose to interfere with their discretion in that respect; but it rests with them.

356. The principle of this Bill cannot be called a free-trade principle?—It is a free-trade principle as far as it goes. It does not compel the pilotage authorities to adopt free trade, pure and simple, in the sense of throwing open the number of pilots, and doing away with all regulations.

357. Except as far as regards removing the obligation upon the shipmaster to take a pilot, there is no difference in the proposed mode of conducting the service and the existing mode?—It is not necessary to alter the law for that purpose, because the pilotage authorities have the power of doing it themselves.

358. I only wanted to know whether, with that single exception, the principle remains the same?—The Act leaves the pilotage authorities to do as they like in that respect. The present law compels shipowners to take pilots. It is necessary to remove that obligation by the action of Parliament. There is no Parliamentary obligation on the pilotage authorities to restrict the number of pilots, or to impose any particular regulations.

359. You do not propose by this Bill to enable pilots to pursue their calling with freedom, as you would allow other individuals to do so, that is, to allow them to be wherever they think they are most wanted; you do not give them that power at all?—We propose to leave that to the discretion of the pilotage authorities.

360. Am I correct in supposing your proposition to be this, that you allow the pilotage authorities to make regulations for the conduct of the service. In Liverpool we have four stations throughout the year on which the pilot-boats are compelled to be in all weathers; would you consider it consistent with the principle of freedom of trade to compel those men thus to risk their lives, and leave it entirely optional in the shipowner to take a pilot or not?—I think

Mr. *T. H. Farrer.*

25 March 1870.

that will be for the pilotage authorities to decide. In the passage I have just read from Admiral Evans' report, he states that the pilotage authorities of Liverpool have recently enabled masters to take the pilots beyond the usual limits; that is a step in the direction of freedom.

361. Looking at it from the point of justice, may I ask whether you would consider that such a one-sided compulsion can be considered as a just law, or could long be sustained?—I do not see that it is a one-sided obligation; you give a man his license on condition that he shall do certain things; I am not arguing in favour of those particular regulations; very likely ports differ, and it is found necessary to make different regulations in different ports. But where the pilotage authorities think it desirable to make such regulations, I do not see anything inconsistent with free trade, in saying to a man, "You shall only have a license on condition of observing such and such regulations." It may be, and I daresay in some places it will be the case, that you will get rid of the restriction on the number altogether; that may be found to be the case; there can be no doubt that in the Thames many more pilots are wanted than are licensed, but that after all is a matter which it is impossible to settle by general legislation.

362. Would you consider that it would be possible to maintain a one-sided obligation of the kind to which I have alluded, compelling men to risk their lives to be at their stations under all circumstances, and in all weathers, and that you shall leave it entirely optional in an owner to take a pilot from that pilot-boat or not?—Yes, because it is done; as I mentioned just now, it is done at Dundee.

363. Probably there may be some difference between Dundee and the port of Liverpool?—It is done at other ports. The real probability is, that no compulsion will be necessary; that where the man is wanted there he will be found.

364. You made some allusion to the loss of the "Spindrift" in your evidence on the former occasion, and you stated that a master of a vessel with a pilot on board in compulsory waters, feels less responsibility, and is less vigilant than if he is in non-compulsory waters, and that I think is correct. Are you aware that nearly all the large steamboats out of Liverpool take pilots from Liverpool to Queenstown, and *vice versâ*?—I should think it very probable, but I do not know the fact.

365. Do you think that the fact of having a pilot on board in compulsory or non-compulsory waters makes the slightest difference in the vigilance and responsibility of the commanders of those ships?—I rather think that in spite of the law the owners of those great steamers refuse to allow the master to be displaced by the pilot even in compulsory waters. I have heard so, and I believe it to be the case. They feel that the safety of their ships, whatever the law may be, is the most important thing, and that they must make their master responsible, at any rate, to them.

366. The Mersey Docks and Harbour Board is, as you are aware, composed of mercantile men of the port generally, elected by the ratepayers, and that they have no beneficial interest whatever in the control or management of the trust?—None whatever.

367. They have nothing but the welfare of the port at heart?—It is a public board entirely.

368. Has not that board, since its constitution, always upheld the compulsory system, and whenever the question of the abolition of that system has been brought before Parliament, has not the board petitioned and memoralised against it?—I have no doubt that is the case, but I do not know it.

369. You have stated that the compulsory system at Liverpool is generally believed to be very efficient, and is favourably regarded generally by the shipping interest of the port?—With the exceptions I have mentioned as to the steamship interest.

370. I say generally?—Yes; I believe generally. Amongst the sailing-ship owners that is so.

371. Will you state if there is any really good reason for abolishing a system that has worked so well, and given so much satisfaction?—I do not think, considering all the complaints that we have had before us, that the compulsory system has worked well throughout the kingdom.

372. I was speaking of Liverpool?—I do not see that, in a matter of this importance, involving such serious principles, it is possible to have one law for one port and another law for another port, or that it is desirable to do so.

373. You see no reasons in your own mind at all for necessity of keeping up by compulsion the efficiency of a particular service like Liverpool; you see no distinction in your own mind, and no reason why exceptions should be made?—No reason. I may say that, if the Board of Trade or the Government had thought that the abolition of compulsory pilotage would tend to any insecurity of life or property, they would never have thought of introducing this Bill for a moment.

374. You are of opinion, I think, that where the pilotage is voluntary, there would be more pilots?—It is impossible to say. I think the supply and the demand would adapt themselves to one another.

375. Do you mean licensed or unlicensed pilots, when you speak of the supply?—If the pilotage authorities did not attempt to restrict the numbers, the supply and the demand would settle themselves. If they restrict the numbers, they must do it by reference to what they believe to be the demand; and, of course, it would be according to their good or bad judgment in the matter whether the thing is well or ill done.

376. Does not the Bill contemplate decreasing the number of pilots?—It contemplates the possibility of a decrease, and therefore it proposes to compensate them if that should be the case; but there was no belief on the part of the Government that there would be any large decrease.

377. It provides for the forced superannuation, if the remuneration is insufficient?—Yes; if that should be the case, which was not expected to be the case.

378. Are you aware what the pay of a first-class pilot is at Liverpool?—No; I only believe generally that they are not overpaid.

379. The amount, I think, appears to be 195*l.*?—That is the average earnings.

380. That you consider is not over payment for a first-class pilot?—Not at all, I should think, into such a port as Liverpool.

381. That, I think, is the nett?—Yes; the highest nett is 210*l.*; the average nett is 195*l.*; the

the gross average is 212 *l.*; it is very small, compared to what some of the London pilots earn.

382. *Chairman.*] Many of the London pilots have much higher incomes, I believe?—The highest nett income of the London pilots is 700 *l.*, and the nett average is 250 *l.* I am informed that some of the unlicensed pilots in the port of London earn still more.

383. Mr. *Graves.*] You are of opinion that that income would be kept up to them under a free system?—We think so, from the experience of the ports where compulsory pilotage has been abolished, and from the knowledge that pilots would be much wanted at Liverpool.

384. Have you at all looked into the question as to whether in ports where the pilotage is voluntary there is not a much less per-centage of vessels taking pilots than where it is compulsory?—I have not made that comparison.

385. For instance, are you aware that at Cardiff only 38 per cent. entering and leaving the port take pilots, while at Liverpool 63 per cent. take pilots?—There is a vast proportion of the coasting trade at Cardiff which has never been in the habit of taking pilots. I should think that is very likely to be the case.

386. Steam coasters, as a rule, you think, do not take pilots?—As a rule, I should think not.

387. As the use of steam increases, the tendency would be rather to decrease the number?—I should think it would, as men make repeated voyages and learn to know the ports.

388. Would not there be a tendency on the part of poor or reckless shipowners in summer weather going out with a tug-boat to avoid the expense of pilotage?—That is a very difficult question to answer; but steamship owners in London have told us that they think the pilot would be employed as much, at any rate in large ships, where there was a tug, as if she had no tug. Of course, both in that case and in the case of the ship towed by steam, and of the steam coaster making short voyages, if she does not want a pilot, why should she be compelled to take one?

389. From your experience with regard to this question is it not notorious that the steam trade, as a rule, require pilots less than sailing ships will do?—The short steam trade.

390. So that to that extent the tendency would be rather to diminish the income than to increase it?—Yes, so far as the short steam trade is concerned; but then it must be remembered that that very much replaces the old coasting sailing vessels, which did not take a pilot. The long-voyage steamers now coming in and driving out the sailing vessels, I believe, generally take a pilot, and always would do so.

391. You probably remember the differential dues that foreign vessels were exempted from ten years ago?—Very well.

392. And that Parliament compensated the pilots of Liverpool for the loss of those dues?—What happened was, that under the old Reciprocity Treaty Acts foreign vessels were exempted from the differential dues which they had previously paid; and as those treaties came into existence, Parliament compensated the pilots of the port by paying them those sums. Then in 1861 or 1862 an Act was passed, by which all differential dues were put an end to, and that compulsion was put an end to also; and the pilots and other harbour authorities receiving those differential dues were to receive an annuity for ten years, calculated upon the average of what they had been receiving; and the Liverpool pilots received large sums in that way from the Government.

393. Do you remember the amount?—About 10,000 *l.* a year, I think.

394. For how many years has that been paid to them?—That was to be paid to them for ten years from the time of the passing of that Act.

395. That would expire next year?—Quite so; that is an additional reason for being liberal under this Bill.

396. So that the pilots of Liverpool will absolutely lose next year 10,000 *l.* a year of their income?—Which they ought never to have got.

397. That probably, as you very fairly stated, would be a reason why they should be dealt liberally with?—Certainly,

398. I think the Committee rather gathered from your views that, in your opinion, no loss would take place in their incomes from the abolition of compulsory pilotage?—We think not.

399. Are you at all aware how far the exemptions go that you are extending in the Merchant Shipping Code now before the House?—There would be very large exemptions in Liverpool, because the system is so strict at present.

400. You have generally condemned those exemptions; I think you call them gross anomalies?—I call them anomalies upon anomalies: anomalies made for the purpose of getting rid of greater anomalies.

401. Could not they have been got rid of by doing away with the exemptions in place of extending them and making the anomaly greater, as you propose to do?—If I were a Member of Parliament, knowing the feeling of the shipping interest, I should be very indisposed to bring in a Bill for the purpose of curtailing those exemptions.

402. Practically they could be got rid of in one way equally well as in the other way?—Yes.

403. You are aware that there is a large superannuation fund at Liverpool?—I am aware that there is a superannuation fund and a very peculiar system of investing in the boats, which, I believe, is the real way in which the pilots obtain their superannuation or secure themselves in old age. It is a very peculiar system indeed, condemned by the Commission on Pilotage in 1836, but which still continues, and which Mr. Forwood refers to in that letter when he talks about the part that goes to the dead weight. The pilots invest their money in the boats; a large part of their earnings is set apart for the boats, that is deducted from the active service, and the pilots participate in that according to their interest in the boats. That, I believe, is the state of things.

404. How would you propose to guarantee the superannuation fund to those people who have been contributing to it on the faith of a compulsory system for years?—According to this Bill the superannuation fund would not be injured, because the earnings would continue the same.

405. That is based on the supposition that the earnings continued the same?—If the earnings continue the same, of course there would be no loss.

Mr. *T.H.Farrer.* 25 March 1870.

406. You have provided for the possibility of a reduction taking place?—Yes; and then we diminish the claims upon the fund by compensating, at the Government expense, such a number of the pilots as it is necessary to withdraw, in order to leave the earnings sufficient to maintain the thing on its previous footing.

407. Why are the words, "If they think fit" introduced into the Bill, if you mean that the Government shall do so?—It was merely to reserve discretion to the Treasury, in order to see that undue claims were not made on the Government.

408. Do you think that, if you were an annuitant, you would like to be dependent upon the "thinking fit" of the Treasury?—Perhaps not; but one must remember that there is an elastic element here, viz., the question whether the pilots have done their best to earn their money, or whether their loss has arisen from other circumstances; because they ought not to be compensated if they lose by any other means than the operation of this Bill; if the trade of the place falls off, or if the pilots do not do their duty so well, they ought not to be compensated; it is only where they suffer by the operation of the Bill.

409. Are you aware that the present surplus of the annuity fund is only 200 *l.* a year?—Yes. This return does not give the amount paid to the boats, which is a very important element, which I have no doubt will be brought out before the Committee.

410. You have not looked into the matter as regards the question of annuities or superannuations?—It has been impossible to look into all the different funds of the different ports.

411. Do not you think it would be right to make it compulsory on the Treasury; that it should not be made optional in the way you propose?—If you could so define the claim as to make it certain that there should be no undue or unjust claim on the Treasury, I think it would be just that it should be fixed, and more satisfactory to everybody.

412. What do you propose to do with those boats to which you have alluded, and the owners of these shares?—Supposing the service to go on as we suppose, just as fully employed as before, the boats might remain as before; but the system of those boats is obviously a great clog on the pilotage service of Liverpool.

413. Do you know that the pilots of Liverpool own 75 per cent. of those boats?—I am quite aware of it, but such a system ties the hands of the pilotage authorities at every step.

414. Are you aware that the present owners have paid over 90,000 *l.* for their shares of these boats?—I am quite aware of the state of the case, and that they have invested a large sum of money in them.

415. How would they be recompensed, according to your proposition, for the 90,000 *l.*?—The boats would continue to earn what they do at present.

416. Though these shares were bought by the pilots under an obligatory Act and a compulsory system, you think they would be entitled to no compensation for the abolition of that compulsion?—If, as we believe, pilots were employed as much as ever, there would be no loss sustained at all.

417. If a loss were shown, you would think them entitled to compensation?—Then you would withdraw a certain number of pilots, and the remainder would get better paid.

418. Is it not the interest of commerce generally to have a superabundance of pilots; the interests of commerce can scarcely be to reduce the number for the purpose of paying annuitants?—If it is to the interest of commerce to maintain a number of pilots, as we believe it would be, there would be no loss, and no occasion to reduce the number.

419. I am speaking of the boats. I ask the question, how would you propose to compensate the owners of those shares for any loss they might sustain from a change of system?—I say, in respect of that, I believe that there would be no loss. If there were a loss, a certain number of the pilots would be withdrawn, and the earnings of the others would be greater than they are.

420. The savings of these pilots have, nearly all, been invested in these boats?—Yes, I am perfectly ready to admit, and I think that would be the best way of treating it, that the question of the pilot boats at Liverpool requires special consideration.

421. The House has confirmed that view of it, because in 1862, when it passed the Merchant Shipping Act, it expressly recognised the right of the pilots to be remunerated if compulsory pilotage were abolished. I believe that is correct?—I do not remember it.

422. Section 39 says, in doing so means should be afforded of paying due regard to existing interests, and the circumstances of particular cases?—I do not think that any one would deny that now.

423. You have laid a great deal of stress on the hardship of making an owner liable for the acts of a pilot forced upon him? — Perhaps I may have put that a little too strongly; I think all those passages which I quoted from Dr. Lushington's judgment show that it is a logical consequence of forcing a servant upon an owner, that you should free the owner from responsibility for that servant's acts; I agree with the logic. But I am not quite so sure I should admit it is a hardship.

424. You have said that in a compulsory system a shipmaster has no choice of a pilot?—That is not necessarily so; in some places where the system is compulsory he has his choice among a certain number; in other cases he must take the man in turn. That differs in different ports.

425. I think one of your great objections to the compulsory system was that there was no power of selection? — That is as it may happen. There is a power of selection among a limited number in London, for instance, but only among a limited number.

426. I gathered this impression from your evidence: that one reason why you desire this change is, that a voluntary system would give a man the power of selecting his own pilot?—That is rather a different question. It would give him the power of employing a pilot or not; whether he employed a pilot in turn would be a further question. I think, as a matter of fact, that in most cases where a shipowner is not obliged to employ a pilot, he is also at liberty to select whatever pilot he pleases, from among the licensed pilots.

427. Take an inward-bound ship; let me ask you what greater selection a shipmaster will have

have under the voluntary system than under the compulsory system?—He will, in the first instance, be able to do without the pilot at all if he wishes to do so; that will be the first, and the greatest and the most important step of all.

428. That is the only alternative?—So far as this Bill goes, that is the only thing. If what Mr. Forwood there suggests takes place; if what the Leith Chamber of Commerce suggests takes place; if what the London Shipowners' Society suggests takes place, namely, that the number of the pilots shall not be limited, and the pilots shall be at liberty to cruise wherever they please, there will be a further liberty.

429. You do not propose that by this Bill?—No, that would not be done by this Bill; it would be in in the power of the pilotage authorities to do it if they pleased.

430. Let me take the port of Liverpool; every vessel going into that port meeting the first pilot-boat receives a pilot; what choice or selection has the master in the man whom he takes under the voluntary system more than he has under the compulsory system?—I do not say, that, assuming the rule of the port to be that the pilot shall be employed in his turn, that the shipowner is able to select a particular man more than he could under the other system, but he is at liberty to employ him or not; he is at liberty not to employ him.

431. I am speaking now of selection?—Selection, again, is a different matter.

432. While in the outward voyage of the vessel selection is possible, in the inward voyage of the vessel selection is impossible?—Unless the owner chooses to send his pilot to meet him, which I believe is occasionally done. Suppose a shipowner, for instance, chose to send his pilot to meet his vessel at Cork and to bring her in.

433. That is done every day with large steamships?—Yes, then there would be complete selection.

434. These are very exceptional cases, not relating to one out of 500 vessels?—Still there would be absolute selection.

435. I want to bring out this point clearly, as to what difference in the selection of your pilot will take place under the Bill now before the Committee?—The difference made by this Bill will be, that the shipowner will be at liberty to employ the pilot or not.

436. As regards the selection of the man, there is no greater selection under the voluntary system than under the compulsory system?—There may or there may not be; I should think there was likely to be more selection, because the pilotage service will be more anxious to accommodate itself to the wants of shipowners.

437. The system in Liverpool is, that the boats take certain stations, and that the men, in their turn, are sent aboard each vessel that comes up; under those circumstances, I apprehend there will be no difference in the selection under a voluntary system and a compulsory system?—No, except this, that if that plan did not suit the wishes of the shipowners, and the shipowners wanted a special pilot or pilots, in different places, they would then be at liberty to make those arrangements, and no doubt the supply would follow their demands. At present it may not do so.

438. If my premises are correct, probably you would then be willing to admit that the captain had no power of selection. Suppose the rule to be that there are four pilot-boats, each at its own station; an inward-bound ship receives the pilot sent by the master of the pilot-boat; under those circumstances there would be no power of selection on the part of the master?—If you retain a system under which pilot-boats are obliged to be in a particular place, and there is a positive rule that each man shall be taken in his turn, there will be no selection except this, that the shipowner need not take the pilot unless he wants him.

439. Mr. *P. W. Martin.*] You said, in page 16, that the barges came lumbering down the river sideways, is that what has been told you?—That is what the pilots have told us.

440. You do not know it yourself?—I am not a bargeman nor a pilot.

441. You say you remember some very large deputations to the Board of Trade; have you got Paper, No. 455?—Yes.

442. Is that the "Sentinel" case?—No; the "Sentinel" case is, I think, in a subsequent paper not yet printed, but which I have put in.

443. Do you happen to recollect that in all these deputations, the barge owners stated that the presence of a pilot on board rendered either the pilot or the master perfectly reckless whether he ran down a barge or not?—I think that was the substance of their statements.

444. For instance, the "Snodland" was the case, was it not, of a barge that was close in shore; the steamer was out of her course, and cut her down; or was it the brick barge mentioned in the same paper?—I cannot recollect the exact circumstance.

445. Have you had any complaints within the last few weeks, as to the case of the barge that was run down, and the crew drowned while they were asleep?—I remember there was such a case, but I do not think we have had any official report or inquiry into it.

446. You say there is only 650 *l.* recovered out of 6,000 *l.* damage done by the steamer, and I see you say that the remedy against the pilot is worthless; I suppose that is because the pilot has no means?—He has none at all.

447. Practically, a barge coming out of the Medway, which they do twice a week, gets run down without any fault of her own, and the owner is utterly without redress?—Quite so. Mr. Lee, in one of these papers, gives a very full and instructive account of all that he did to endeavour to recover compensation. First of all, he proved that the ship was in fault; then he found that he could not recover damages because she was in charge of a compulsory pilot. Then he proceeded against the pilot. The pilot had no assets; then he made the pilot bankrupt, and he got nothing.

448. He practically lost his barge, and 380 *l.* to boot, in costs?—Yes.

449. Mr. *Stevenson.*] You have said that you think the abolition of compulsory pilotage will throw the responsibility, as to the safe conduct of the ship, and any accident that may arise from negligence, on the proper quarter, namely, the master and the owner; do you think it is possible, short of the abolition of compulsory pilotage, so to define the duties of the pilot, as always to prevent a confusion arising in regard to such responsibility?—I do not think it is impossible to do it, because I believe it is done, to a certain extent,

Mr. *T. H. Farrer.*

25 March 1870.

in France and in the United States; that is to say, the shipowner is responsible to the ship to which he has done damage, and he has his remedy over against the pilot. That appears to be the law in France, and probably the United States; but as to carrying any such law in this country, that is a different matter. The Bill of last year did propose something of the same kind. We found it met with general opposition from the shipowners; those who were opposed to compulsory pilotage would not hear of doing away with the exemption from liability, and retaining the compulsion.

450. Would the master and the owner still have recourse against the pilot for negligence under the voluntary system?—I should think so, certainly; just as much as under the compulsory system.

451. If this measure sanctioned an exception to the general rule of voluntary pilotage in any particular district, would not it follow that the law as to responsibility of a ship would differ in that district from the law in other ports?—Certainly, that would be the effect.

452. Do you think it would be possible to get an uniformity of the law of responsibility short of the total abolition of compulsory pilotage?—I do not think it would.

453. You have laid down the object of a pilotage law, or a pilotage system, to be that of securing a proper supply of pilots, and securing also that those pilots should be competent men; I may ask you whether, in the districts where pilotage is voluntary, and always has been voluntary, the pilotage service is administered under precisely the same general law as it is in the compulsory districts?—It is so under the general law; that is to say, the Merchant Shipping Act. It is precisely the same with regard to the two districts, except in the single matter of compulsion.

454. In those districts boards exist for the administration of the system?—Certainly.

455. Is it not the case that in general those boards are representative boards?—Yes, in general, I think so; but it is very difficult to give a general answer with regard to ports which differ so much in their circumstances. In the case of the establishment of recent boards they are representative.

456. Have any representative boards been recently established, except to administer a system of voluntary pilotage?—None that I know of. I am not aware of any new establishment of compulsory pilotage since I have been at the Board of Trade.

457. Are you prepared to give a general answer to this question: whether when a pilotage board most fully represents the views of the shipping interests, the pilotage is voluntary rather than compulsory?—The Mersey Docks and Harbour Board are the great exception to that; but I think, generally speaking, that is so. The Dublin Port Board is, to some extent, a representative body. That is another case where compulsion exists. But I think, generally speaking, where the board is a representative body the pilotage is free. The Clyde is another case of exception; the upper part, from Greenock to Glasgow.

458. Was not the upper navigation of the Clyde always compulsory?—It has, I think, been compulsory for a great number of years. It was not always compulsory; but then a few years ago the Clyde was a mere ditch.

459. Mr. *Malcolm.*] I think it has been compulsory only since 1858?—I think before that. I am now speaking from what was told me the other day; but I think it was made compulsory in 1848. It was before I came to the Board of Trade.

460. Mr. *Stevenson.*] I think you told us there was a growing feeling in the shipping interests in favour of voluntary pilotage?—I think so, certainly; because we have never an application to extend the compulsory system; but we have many applications to extend the voluntary system, or rather to do away with compulsion.

461. Do you think that if the Trinity House of London had been a representative body, more readily reflecting the feelings of a mercantile community, voluntary pilotage would not have been further extended than it has been?—It is possible; but at the same time, it is to be remembered that a great change has come over the London shipowners of late years, and that the London Trinity House very much reflected the views of the large sailing-ship owners.

462. You mentioned that the pilotage at Dundee is a voluntary pilotage?—It is.

463. Are you aware that there they supply vessels approaching the port at sea, by sending out pilot cutters with men on board?—The pilot cutters cruise there regularly. The pilot cutters are always cruising at the mouth of the Tay.

464. These cutters belong to the pilotage establishment?—No; I believe they belong to the pilots themselves. I believe the pilotage authority does not interfere with the cutters at all. It leaves the pilots to find them themselves. I was informed so yesterday.

465. The question has been raised as to limitation of the number of pilots by the pilotage authorities: is it not the case that there is a natural limitation, if I may so say, to the number of pilots by the rules of the different boards, which require the pilots to serve an apprenticeship?—Where it is necessary that an apprenticeship should be served before a man can become a pilot, of course they can only make those who are apprentices pilots; but that only puts the thing a little further back, because they can make more or fewer apprentices according to the demand of the port.

466. Would not the supply of apprentices (the number of young men coming forward to the profession) be regulated by the prospect of employment?—Undoubtedly; and I presume that the action of the pilotage authority in regulating the numbers is only an endeavour to fix the real supply and demand.

467. Do you not think that that discretion of limiting the number of apprentices may be very safely entrusted to pilotage authorities, where those pilotage authorities are representative of those who are to employ the pilots?—I think so. I think, if they find it better for the service to throw it entirely open and to examine everybody, they will do so. If they find it better to limit it, and to have a settled number of pilots, they will do that.

468. If the pilotage authority were a representative body, the interests involved would readily entrust them with such a discretion?—I think that is very possible.

469. I think you said there was nothing in this

this Bill which would affect the question as to whether a master wanting a pilot (supposing it were optional to him to take a pilot or not) would be required to take the first pilot. The Bill does not touch that question?—It does not touch that question at all. I take it, it would not be possible to require the master to take the first pilot that offered; but it would be competent to the pilotage authority to say, "If a pilot is taken at all such-and-such a pilot shall be taken." Their power is over the pilots, and not over the ship. It would be through the medium of the pilots that they would require them to be taken in turn.

470. Taking a pilot in turn so far limits the choice of the master to have any particular pilot?—It does so, certainly.

471. That would, I presume, only apply to pilotage inwards?—Yes. But there is nothing in this Bill to prevent the pilotage authorities making a rule that pilots shall be taken in their turn outwards.

472. Supposing such a case as this, that a vessel coming into the port of Liverpool thought proper to pass the pilot cutter that was furthest out at sea, and took no pilot, and afterwards the captain changed his mind, and, when nearer the port, took a pilot, do you think that would not be some hardship on the pilots who were in the first cutter, whose services had been refused, and would not some discouragement be inflicted upon pilots keeping well out to sea in order to offer their services?—I do not think this Bill affects that question. I admit it is a question of considerable difficulty.

473. Do you think there would be no difficulty in giving, under the general law, a sufficient discretion to the pilotage authorities to meet such a case?—Quite so. This Bill does not prevent their having such a discretion.

474. You think that case might be met by some regulation for the distribution of the earnings of the port?—I should think so; I do not see why it should not be met in that way.

475. In that distribution of the gross earnings of the pilots, consideration would be given to the case of those pilots who had kept themselves well out at sea, although they had not got any employment thereby?—Certainly. Such a case as that of Dundee, where the money is all paid into a common stock in order that it may be distributed in the way the pilotage authority thinks most consistent with justice and fairness, shows that it can be done. It will always be a question, I suppose, dependent upon the particular circumstances of the case, whether the matter will not settle itself by the man getting larger rates for going out further if he is wanted to go out further. The shipowners of London say they want a pilot at the Isle of Wight sometimes. If he is wanted they must pay more for him, and the probability is he will go there. In certain cases that will settle itself in that way.

476. If the shipowner paid more for taking the pilot at the outside station would there not be a temptation to prefer one from an inner station?—If the shipowner wants a man outside he probably would be willing to pay more for him.

477. You mentioned some cases on the previous day in which some Trinity House pilots had extorted money from shipowners in the Channel district for not hoisting a flag, and very large sums of money had to be paid, and the Board of Trade could give no redress?—Yes.

478. Are you aware whether the Trinity House took any steps as to those pilots on account of such conduct?—I am not aware of any steps except those mentioned in the printed papers to which I have referred.

479. Mr. *Brassey.*] In regard to the compensation proposed in the Bill, I suppose we may assume that if the shipping interests benefit largely by this Bill, the pilots must suffer in a corresponding measure?—Not necessarily. It is possible that both may be on a better footing, that the employment may be as great as it was before, the pay as great as it was before, and both parties better satisfied, as has proved to be the case in some ports.

480. It is possible that it may be otherwise; it is possible the result may not be so favourable to the pilots as you anticipate?—The compensation clauses show that we thought that that possibly might be the case.

481. I think, under the Bill, no claim for compensation will be entertained until after the lapse of a period of two years?—That is so.

482. Do you not think that the Board of Trade should, under certain circumstances, have a discretionary power to give some temporary compensation in the case of pilots who are proved to be suffering largely from the operation of this Act?—That period, and the details of that clause are, of course, open to consideration and alteration; it would be necessary to have sufficient time to see what the operation of the Bill had been; and it would be necessary to have a limited period, in order that claims might not be made at some future time, which had nothing whatever to do with the operation of this Bill.

483. A pilot brought before me a hard case, in practical illustration of what might happen under this Bill. He instanced the case of a man educating his family at a considerable annual expense, and suggested that it might be possible that he would have to withdraw his family from school, and that they would suffer from the loss of education for a period. That would certainly be a very hard case, because, although two years might not be very much to an adult, in the case of young persons, it would be a fatal blow to the course of their education?—That is a possible case.

484. I think, under the compulsory pilotage system, the Trinity pilots appointed to conduct the pilotage in the Thames, require to possess considerable qualifications: they must have been, I think, in command, either as master or chief mate for a certain number of years, of a sea-going vessel, and also have served a considerable apprenticeship in the river?—Yes.

485. I think you will agree that it is very important to keep faith with them, and that their just anticipations of the nature of the service at the time when they entered it, should not be disappointed?—Most certainly.

486. You spoke about the Bristol Channel, and you said that no loss had been suffered by the pilots in that Channel from the abolition of compulsory pilotage in those waters?—I stated that, on the whole, the pilotage service had not suffered, and that in the voluntary ports the pilots were better off than before. The Bristol pilots have suffered, because there has been a

Mr. *T.H. Farrer.*

25 March 1870.

transfer of the service from them to the Cardiff, Newport, and Gloucester Ports.

487. Has there been any increase in the trade of the Bristol Channel since the abolition of compulsory pilotage?—I have no doubt there has, as there has been, and I hope will be, all over the kingdom.

488. Unless there had been such increase of trade, I presume the pilots in the Bristol Channel would have suffered considerably by the abolition of compulsory pilotage in those waters?—The Bristol pilots would have suffered; I very much doubt whether the others would under any circumstances.

489. With regard to vessels carrying passengers, is it not your opinion that no such vessels should be allowed to navigate in pilotage waters without a pilot on board, unless the master has been proved to be qualified to navigate on those waters by examination before a competent pilotage authority?—The question to what extent you will carry the system of examination of masters and mates is, of course, rather a difficult question; but, according to my own opinion, I should be inclined to leave that responsibility with the shipowner himself, and I think he would provide for it better than Government would.

490. In regard to railways; in recent years the Government have recognised a certain responsibility for the care of the passengers travelling by railways, and also by the infliction of very severe penalties upon companies neglecting to carry out the working of railways under proper regulations?—The chief penalty upon the railway companies is the liability for damages in case of accident. We hear a great deal about that from the railway companies. That liability exists also in the case of ships, and I am inclined to think that that liability is a much greater security to the public than any system of Government supervision.

491. *Chairman.*] That liability will be extended under this Bill?—It will be extended rather than diminished.

492. Mr. *Brassey.*] Could not the objection of the steam-ship owners to compulsory pilotage be met by giving them immunity from the obligation to employ pilots in the case of all vessels commanded, by masters, who had proved their fitness to pilot their vessels in pilotage waters?—That is the present law, but that does not satisfy them.

493. We hear too often of ships going to sea ill-equipped and unseaworthy, do you not think that the same disposition to a somewhat reckless economy might extend itself to the case of pilotage, and that if you abandoned the obligation to employ pilots compulsorily, you would find the disposition to economy would often lead to a loss of life which otherwise might have been avoided?—I have no doubt that there will always be reckless people, and there will always be stingy people, but the question is, in what way you can best induce or compel them to take proper care, and I think, certainly, you can do it more effectually by putting upon them the responsibility for anything that goes wrong, than by endeavouring to substitute for their care and supervision, the care and supervision of any Government board, or any Government pilot.

494. You said a good deal in your former examination as to the anomalies which arose under the present system, in respect to the liability of shipowners, whose vessels have caused damage by collision; do you not think that those anomalies could be remedied without abolishing compulsory pilotage?—No, I think, practically, not. Of course it could be done as we proposed last year, but we found there was so much opposition to that, that practically it could not be done.

495. In the course of frequent voyages in vessels, I have observed the practice on board ships belonging to the Peninsular and Oriental Company, those ships in pilotage waters are compellable to take pilots; but I am aware that the practice of the captains of those vessels is, certainly, not to act as if they considered themselves absolved from responsibility by having a pilot on board; do you not think that the practice of the Peninsular and Oriental Company might be carried into the law and applied to all ships?—I think that would decidedly be a great improvement in the law. I think it is very hard that the law should say one thing, and that the most careful owners of ships should find it their interest to say and do something else; but that does not meet the whole case.

496. I think you have urged that no apprehension need be entertained that by abolishing compulsory pilotage, the pilotage services at the different ports which require pilotage service will be impaired in point of efficiency, and you have cited cases of various ports under the voluntary system in which there is a complete pilotage service; in such cases, the ships having pilots have no option as regards the selection of a particular pilot; the pilotage authority is responsible for the appointment of pilots, is it not?—Rules differ in different ports, therefore I can give no general answer; but I believe that in most cases where it is not compulsory on the shipowner to take a pilot, he is allowed, if he pleases, to choose his pilot from amongst the number of licensed pilots; but the rules differ, and I am unable to give any general answer.

407. I think you mentioned that you had received a communication from the London Shipowners' Society, conveying a resolution of that body in favour of the abolition of compulsory pilotage?—Yes.

498. Are you aware whether there was a difference of opinion in the committee as to the policy of that resolution?—No, I am not aware of it; but I should be very much astonished if there were not, knowing what the feeling of London sailing-ship owners has been in old times.

499. If the majority by which the resolution was carried was not a large one, it ought not to influence our judgment very much, ought it?—On the contrary, I think the fact that a majority of those large sailing-ship owners who always had taken a pilot in London, and who always have been in favour of compulsory pilotage, are now against it, is a very strong argument indeed.

500. Mr. *Norwood.*] You are aware, of course, of the pilotage system in the Humber?—I know it to a certain extent.

501. The licensing body there is the Hull Trinity House, I believe?—Yes.

502. But they are not the administrative body, I believe; there is a large elective body that manage the pilotage of the Humber, called the Pilotage Commissioners?—Yes.

503. That

503. That body consists of merchants and shipowners, who are elected at certain periods, members of the town council, and members of the Hull Trinity House; it is a large body, and partakes of the character of popular election to a considerable extent?—Yes.

504. Have you had any complaints recently as to the administration of the pilotage commissioners of Hull?—Nothing so much in the nature of a complaint as the letter I read from a pilot, and signed by 40 out of the 68 pilots the other day.

505. The shipping trade of Hull and the shipowners who frequent Hull have not complained?—No.

506. This return which is before the Committee, I think shows that the licenses to masters and mates by the Trinity House at Hull, are exceptionally liberal; I think it has the largest number of any port in the list, notwithstanding that Hull is not the largest port in the list by far; it, of course, ranks after London, Liverpool, and the Clyde?—Yes, it has a very large number indeed.

507. I dare say you are aware, that the Hull Trinity House practically refuse a license to no one who proves himself competent to receive that license?—No. I remember on one occasion, early in the history of the system of examination, a question arising with some foreign government, whether a foreign ship was entitled to this privilege, and upon our strongly representing to the Trinity House of Hull that it was entitled to it they gave way and examined, and I believe have ever since examined foreign masters and mates.

508. Both foreigners and Englishmen?—Yes; of course the foreigner is not so frequently able to pass the examination as the captain of a ship that belongs to Hull.

509. You have never heard recently that the Hull Trinity House have shown the slightest disinclination to license?—Not the least.

510. The Hull shipowners evidently take advantage of the system?—Obviously; their steam trade is very large, and no doubt, in all their large short trade they require the masters and mates to be licensed.

511. Of course, by taking a licensed master or mate they run the risk, with their eyes open, of not being covered by the non-liability of the compulsion?—Yes.

512. In point of fact, in the Humber, compulsion merely exists against strange vessels?—Practically; that is to say, vessels from other ports, and, as I gather from the memorial which I put in, from Goole, and the people in the Upper Humber, the shipowners of the ports above Hull.

513. Are you aware that the Trinity House has jurisdiction, as far as licensing all the way up the Humber is concerned, and that a Goole master and mate can obtain a license in the same way?—I should have thought that was the case.

514. I think with reference to the Hull jurisdiction the statement shows that there are about 69 or 70 pilots and 21 apprentices; are you aware that there are seven cutters employed?—I do not know the number of cutters except from that petition of the pilots.

515. You are not aware that there are always three cruizing?—No, I do not know the details of the service.

516. The river Humber is an intricate navigation, is it not; the entrance is some distance from the port of Hull?—Yes; I should think it requires a pilot.

517. It is about 20 miles, is it not?—Yes.

518. And tolerably full of sand banks?—Yes; there seemed to be a good many. It is very well lighted and buoyed.

519. Generally, with reference to the pilotage and the lighting and buoying of the river Humber, you have no complaints?—On the contrary.

520. I think you stated, in reply to the honourable Member for Liverpool, that the question as to the boats employed by the pilots in the Mersey and of compensation to boats that might be thrown out of employment would be considered.

521. In point of fact, that it was a fair question to be raised?—Quite fair.

522. Are you aware that the Hull system is very similar?—No; I do not know what the state of the Hull boats is.

523. You would not be surprised to hear that it was similar?—Not at all.

524. If it were similar to Liverpool, the Hull boat owners would be in the same condition to claim compensation?—Yes.

525. The difference of being on the east coast instead of on the west would not operate?—No.

526. With regard to the clause in the Bill as to compensation; the claim for compensation must be proved in not less than two, nor more than three, years; do you understand that that clause will give retrospective compensation; it will be two or three years before it can be ascertained that the pilots have suffered; would they get compensation from the period they commenced to suffer?—I do not think they would under the Bill as it stands, because the compensation is to be given in the shape of superannuation, of pensions, for withdrawing a certain number of pilots, the assumption being that they are not wanted.

527. Suppose, as a matter of hypothesis, that the passing of that Bill, or of a similar Bill, abolishing compulsory pilotage, would have an immediate and large effect on the Hull pilots, and they would feel the loss in the first year, you would not take that into consideration?—I think I said before that I felt quite sure the Government would consider those two or three years as a matter of detail, to be carefully considered.

528. Clause 3 of this Bill runs thus: "Notwithstanding anything in this Act, a licensed pilot may supersede an unlicensed pilot; and an unlicensed pilot assuming or continuing in the charge of any ship after a qualified pilot had offered to take charge of her, shall for each such offence incur a penalty not exceeding 50*l.*; and the master of any ship who, after a licensed pilot has offered his services, either gives his ship into the charge of, or continues to employ, an unlicensed pilot, shall for each offence incur a penalty not exceeding 50*l.*"; what meaning do you attach to the words "offered to take charge of her"; what would you consider to be the act which would be sufficient to cover those words?—Those words, I think, are taken from the present Merchant Shipping Act, and therefore, I suppose, whatever has been construed to be the case under that Act would be the case under this. I imagine it would be this: suppose a vessel comes up, and a pilot cutter, with a

Mr. *T. H. Farrer.* 25 March 1870.

licensed pilot, comes alongside and offers his services, that would be an offer to take charge.

529. Would it be compulsory on the ship to haul to?—That is one of the questions that have arisen with regard to compulsory pilotage; under what circumstances can a ship take a pilot on board? I presume a reasonable Court would hold that a shipowner should not be obliged to haul to if it were dangerous for him to do so.

530. I presume that different pilotage authorities have different rules on the subject?—I think that is the general law, and I think it would rest with the courts to give interpretation to that.

531. With respect to Hull, have you any communications from Hull to the Board of Trade with reference to this Bill, except the two you mentioned; one from the Trinity House pilots, and the other from Goole?—No, none that I am aware of.

532. There has been no expression of approval?—There has been no expression either of approval or disapproval, as far as I know.

533. Of course, with regard to petitions to the House, that is another matter?—Yes.

534. Have pilotage authorities power to alter the mode of payment and remuneration to the pilots; have they power to grant a larger sum in the winter than in the summer: suppose this Bill was to come into operation, would the law permit a pilotage board to say, "It is necessary in order to keep up our staff, that we should charge 50 or 25 per cent. more for winter service than for summer service?—It depends upon their separate Acts; in most cases I think there is a maximum set of rates fixed by the local Act; for the Trinity House by the General Act, and for other ports by their local Acts, and they have power to make any reduction within those limits; consequently, if they are not up to those limits at present, they might raise the pilotage rates in the winter up to these rates, retaining the present rates for the summer. I am told that that is what is actually done in Holland.

535. You know no case in England?—No.

536. Assuming that this Committee and the House were to decide upon some principle that they thought ought to guide the pilotage of our coasts, would not you think it very desirable that there should be, if possible, a uniform system?—It is difficult to say at what point the general law shall end and the local law begin, but I think there is so much that is local in pilotage, that it would be very difficult to bring it all under one general system.

537. You would not assimilate the system?—So far as the question of the obligation to employ a pilot goes; so far as the relation of the pilot to the master goes, so far as regards the mode in which the pilot shall recover his money, and other matters of that sort which are contained in the Merchant Shipping Act, it is desirable to have the law as uniform as possible, so that everybody may understand it.

538. If I understand the position of affairs aright, this Bill would really, if passed into law, form a chapter in the mercantile code?—It would have to be incorporated with that part of the mercantile code which relates to pilotage.

539. It would do away with the necessity for exemptions?—It would render it necessary to make considerable alterations in that part of the code.

540. Exemptions would not be required?—No, they would be knocked out at once, and the clauses about the compulsory payment of pilotage rates, where no pilotage service had been rendered, would have to be struck out.

541. The bearing of my question was to suggest to you whether if a principle were decided upon, it would not be very much to the advantage of the mercantile community that that principle should be worked out as fully and completely as possible, so as to make it suitable for all pilotage waters in the kingdom?—Most undoubtedly, but it was not attempted to do that in the present mercantile shipping code, because it was felt that the abolition of compulsory pilotage was so considerable an alteration that it was desirable to ascertain the opinion of Parliament upon it by itself.

542. I think I understood you to say that this Bill, in your opinion, is a step in the right direction, but is not the ultimate position that matters might assume in the course of time?—My own private feeling is, that the thing will have to go further.

543. According to your view this is a substantial instalment?—Certainly. I wish to say, with regard to that, that this removes the only legal impediment to freedom. When this Bill is passed the pilotage authorities, being representative bodies, will be able to do whatever is best for the interest of their respective ports.

544. On the previous day, in your evidence in chief, you alluded to the case of the "Spindrift," I have not got the papers before me, but I think some stress was laid upon Admiralty usage; I think some allusion was made to the custom of the Board of Admiralty with reference to instructions to men-of-war on the subject of pilots?—I read the Admiralty regulation.

545. I presume Her Majesty's ships are not bound to take pilots?—No, I do not think they are.

546. Then that case was not a parallel one with a private shipowner who is compelled to do so?—No; but it was quoted in the Board of Trade correspondence not to show what the law is, but merely to show what is the opinion of the Admiralty as to what the relation of the captain to the pilot ought to be.

547. I am not to understand from you that, because the Admiralty Board order the officers in charge of their ships to remain in charge, that a merchant ship captain must do the same thing if he is in compulsory waters; their positions are different?—Their positions are unfortunately different in consequence of the present state of the Statute law, and the decisions of the Admiralty Court.

548. There is so much tendency to increase the liability of merchant shipping owners that one likes to get these matters tolerably clear; am I not pretty correct in this definition of the law as to shipowners' liability in compulsory waters, that so long as his crew is ready and able to, and do execute the orders of the pilot in charge, promptly and efficiently, he is free from all responsibility in case of collision or damage?—The shipowner is bound to show that the accident happened from the fault of the pilot, and from the fault of the pilot only.

549. If the pilot was in charge of the vessel, and through his orders that vessel ran down another, and if the shipowner could prove that his

his crew were properly placed, and in a position efficiently to carry out the orders of the pilot, and did carry out the orders of the pilot, then the responsibility would rest with the pilot?—I think so.

550. In case that pilot was placed upon him compulsorily, that is not a very unreasonable state of things, is it?—I have said the exemption from liability follows logically from compelling the captain to take the pilot.

551. Mr. *Price.*] I think I understood you to say just now, in answer to a question of the honourable Member for Liverpool, that, in your opinion, a good shipowner was more competent to take care of his ship and crew than any Government by any interference which it could exercise?—I think so.

552. I think you also said, in answer to a question of the same honourable Member, that you did not think the regulations which were made for railway companies, and the restrictions imposed upon them were at all analogous in their character to compulsory pilotage?—I am not aware of any such analogy. I know of no case in which the Government appoint a railway guard or engine driver for a railway.

553. Has it not, in fact, been rather the policy of the Board of Trade or the Government, but more especially of the Board of Trade, in dealing with the railway companies, to hold the railway companies responsible for damage, injury, or loss of life, but to do nothing whatever which lessened or weakened the moral responsibility of those who had the management of the concern?—I think, since I have been at the Board of Trade, that has been distinctly the policy of almost every president.

554. I think I recollect once a railway company applying to the Board of Trade, in reference to a Bill then before Parliament, asking if they would determine what should be the particular mode of communication between the passengers and the guard?—Yes.

555. If I remember right, the ground on which the Board of Trade refused to do that was, that it was taking away the responsibility from those who should be directly responsible for the conduct of the traffic on the line?—That is so. That is only one instance of what the Board of Trade are saying every day.

556. I think there was a case, also, of lock-signals; the company said they would be very willing to establish the principle of lock-signals, if the Board of Trade would take the responsibility of what particular form of lock-signal it should be?—I think that was so.

557. Generally, you think that to take a ship out of the hands of the captain, who, of course, is the servant of the owner, and place it in the hands of a person not the servant of the owner, and over the selection of whom he can have no control, would be to weaken the moral responsibility of the owner of the ship in case of accident or damage, even although the legal responsibility might still be left with him?—Certainly; I do think so.

558. That, you do not think, is a very logical mode of proceeding?—I do not.

559. You were also asked by the honourable Member for Liverpool, whether it was not a fact that the payment for light dues was still, in most cases, compulsory?—It is compulsory.

560. Is there not this great distinction between light dues and pilotage dues, that any ship which passes within the range of the light must of necessity derive a benefit from that light, whether she pays or does not pay?—Certainly; with the qualification that if she passes in the daylight she does not want it.

Mr. *T. H. Farrer.*
25 March 1870.

561. Whatever benefit is conferred by that light a ship must derive, whether she contributes or whether she does not?—Just as much as a carriage going along a turnpike road.

562. Or as a passenger going along a street derives benefit from the gas-lights, whether he contributes or not?—Precisely, or as a ship going into harbour.

563. Would it not be practically impossible to maintain a light at all, except at the public expense altogether, except you made every ship pay?—Certainly.

564. If no ship were compelled to pay which did not want the light, no ship would want the light?—No; how could you tell who wanted it?

565. I suppose no ship would confess that she did want it; that is not the case with respect to pilotage?—They are all very ready to pay for the lights, and that is the best possible test of their wanting them.

566. There is that distinction between the two, that whether a ship paid or did not pay, she would still get the benefit of the light, if light were there; whereas, if she did not pay for a pilot, she would not get the services of a pilot?—Quite so; that is an essential distinction.

567. You were also asked whether it was not the fact that, since the pilotage of the Bristol Channel has been non-compulsory or optional, nearly every ship going up to Gloucester has taken a pilot, in consequence of the extreme difficulty of the navigation of that part of the river?—Yes.

568. Is it not a fact that that is true only of the part of the Channel extending from King-road to Sharpness Point, but that it is not true of that part between Lundy Island and King-road, where formerly they were compelled to take a pilot, but where now, not being compelled to do so, they only occasionally do so?—Some do, and some do not, as far as I am able to learn.

569. Therefore, the fact that every ship takes a pilot in the upper part of the Severn, or in that part of the Severn is due only to the distance between King-road and Sharpness Point; that is the dangerous part?—They take the pilot where they want him.

570. They do not take him over the whole jurisdiction, where formerly they were compelled to do so; but where, now, it is optional?—They do not necessarily do so; some do, and some do not. I was a little surprised at hearing from the Newport people yesterday, that they found the supply of pilots for those ships that want them at Lundy, quite as great under the voluntary system as it used to be under the compulsory system.

571. You have never received any complaint whatever from any shipowner, that he had a difficulty in finding a pilot, either westward of Lundy, or in any other part of the Bristol Channel?—On the contrary, the universal expression of those parts is, that they are much better supplied than they were before.

572. You were also asked whether you were aware of the fact, that a very small per-centage

Mr. *T. H Farrer.*

25 March 1870.

of the ships going to Cardiff employed a pilot, as compared with the shipping trade of the Mersey: are you also aware of the fact, that the amount of money paid for pilotage by the port of Cardiff has increased from 6,084 *l.* per annum, when the pilotage was compulsory to 15,074 *l.*, now that it is optional?—Yes, those are the figures in the return.

573. And that at Gloucester it has increased from 2,891 *l.*, when it was compulsory, to 4,707 *l.*, now that it is optional?—Yes.

474. And from 2,062 *l.* at Newport, when it was compulsory, to 4,969 *l.*, now that it is optional?—Yes.

475. Are you also aware that in Bristol, where it was compulsory in 1860, and was still compulsory in 1868, the amount paid for pilotage has fallen from 19,560 *l.* to 10,349 *l.*?—Yes, I am aware of that; but it must be taken with a qualification.

576. At all events, although that fact must be taken with a qualification, the whole tendency of those returns is, if they show anything, to show that the rendering of the pilotage optional in the Bristol Channel has in no way whatever interfered with the interest of the pilots, or tended in any way whatever to increase the difficulties or dangers of the navigation?—Not in any way that I am aware of; it has injured the Bristol pilots, because it has taken the business away from them, and transferred it to the others.

577. Mr. *Malcolm.*] In your evidence in chief you were asked one or two casual questions about the Clyde; the pilotage at present is only compulsory above Greenock, I believe?—That is all.

578. You said, in answer to Question 158, "And with regard to exemptions, they are to apply to coasting vessels under 100 tons?—Yes, under 100 tons moved or towed by steam"?—I think that is the case, because I think that was done by Order in Council on the application of the pilotage authority.

579. Do you know at all when the pilotage on the Clyde became compulsory?—I am speaking now from memory of what Mr. Turner told me the other day.

580. Perhaps that might assist you (*handing a paper to the Witness*)?—This is the Clyde Navigation Act of 1858. By the 136th section, the pilotage is made compulsory in that narrow part of the Clyde; but I was informed that the compulsion existed before this Act, in an Act passed, I think, in 1848. I speak from memory, and not from my knowledge of the Act itself.

581. As far as you know, you have had no special cause of inconvenience from this compulsory pilotage in that narrow part of the Clyde?—I am not aware that we have had any representations upon the subject.

582. You have had no returns of damage during the operation of that compulsory pilotage?—No.

583. You are not able to say from any return that the damage has been far less under the system of compulsory pilotage, that it was under the system of free pilotage which existed before?—No, I cannot say that. I should think it would be very difficult to make any comparison, if I am right in saying that 1848 was the time, because the Clyde has been so enormously improved of recent years that the trade is altogether a different thing.

584. In answer to my honourable friend, the Member for Liverpool, you said you thought if this Bill became law it would be very probable that many masters of ships, especially of foreign ships, would seek to take their own vessels up to port, without being troubled with a pilot at all?—I should doubt whether many masters of foreign ships would take their vessel from Greenock to Glasgow without a pilot, under any circumstances.

585. You quoted that in your report the other day as a very simple thing, it is mere river pilotage, little more than a canal; that is your opinion upon the point?—A canal with a tide in it is a very difficult thing for a big ship.

586. *Chairman.*] I think that question had reference to comparing the Clyde with the Thames. It had been stated that every vessel going up the Thames took a pilot, no matter whether compelled to do so or not?—Yes.

587. Mr. *Malcolm.*] We will suppose that a man was foolish enough to do it, or that under your free trade system he got an incapable man as a pilot, have you any idea what the effect of a comparatively speaking small vessel, meeting with the slightest accident in the Clyde, would be?—I do not know why he is to get an incapable pilot more under our free system than under the present system. Our impression is that he will get a more capable man.

588. How are you to compel him to take any pilot?—He may go without one.

589. We will suppose he does go without one, and being a vessel of nearly 500 tons, turning one of those corners of the Clyde, he gets jammed hard and fast across the river?—I do not think he would be at all more likely to go without a pilot under that system. He will not run his ship aground voluntarily.

590. Not having had any of these returns, perhaps you can hardly answer the question. However, evidence will be called to prove that the damage has been remarkably small; in fact, that the average damage to vessels on the Clyde for the last few years has amounted to about 40 *l.*, so that under a compulsory system you could practically, if necessary, make the pilot liable; if you proceeded against the pilot he could pay such an amount as that?—If you had a voluntary system, the shipowner would be much better able to pay than the pilot ever would.

591. I suppose it has never been suggested to you that under a compulsory system pilots might form a sort of fund; an indemnity fund, in point of fact?—That was mentioned the other day by Mr. Turner as a possibility, that they might agree to subscribe together to form a fund to indemnify persons who were injured.

592. You do not think anything of it?—I think it is rather a roundabout way of doing that which can be done much more simply by the voluntary system.

593. I think you said this Bill proposes to leave the boards exactly as at present?—Yes, I think so.

594. How do you reconcile that with clause 2, because you say that during the next two years these pilotage boards must not increase the number of their pilots, for fear of finding at the end of these two years they had made a mistake; and then if they had increased during those two years they would forfeit all claim to compensation, or anything of the sort?—In the first

first place with regard to that, that is one of those details which would very properly have to be reconsidered; but in the second place, the pilotage authority would only be likely to increase the number of the pilots if there were an increased demand for their services, and in that case no demand for compensation would arise, and consequently the Bill would not touch them.

595. No temporary increase?—It is not likely that there would be such fluctuation in the trade of a place in the course of two years as to make them largely increase the number of pilots.

596. There was one thing that struck me in one of your answers; you are very much in favour of pilots being allowed to cruise where they please; that is to say, so that Liverpool pilots should go right away down Channel, or up North wherever they liked, to try and pick up ships. Do not you think that practically would lead to an enormous amount of confusion, not to say perpetual rows between pilots of various ports?—I did not express a positive opinion as to what might be best in that respect. I said, on the contrary, it was for the pilotage authorities of each port to determine that. What I said was, that many shipowners represent to us that they want to find pilots in places where they do not find them now, and that want would probably be better met under a free system.

597. Vessels coming up to London would like to find pilots a long way down?—Yes; one of the largest London shipowners told me he wants to find a pilot down at the Isle of Wight.

598. Mr. *J. S. Hardy.*] In your evidence in chief you gave instances of three grievances which happened to various ships. Taking these three grievances, I wish to know whether you do not think that two of them, or the whole of the grievances, in fact, depend very much indeed on whether there is not conflicting evidence between the pilot and the master of the ship?—No, I do not think so. In the first place I think it is a hardship upon these men to be obliged to employ a pilot at all when they do not want him.

599. Under the present law, he having wilfully broken the law, there would be no grievance in his being punished for doing so?—I think there is an essential hardship to begin with. You begin with an anomaly and a hardship, and then you have an exceedingly severe and stringent law to punish the breach of that anomalous law. Of course the hardship of the original law very much increases the hardship of the remedy. I think, secondly, that even supposing it to be right that he should be compelled to take a pilot, it is a monstrous thing that when he has got to another port you should send a policeman after him and make him pay the whole sum that is demanded, upon pain of being carried another 200 miles, and stopping his ship altogether.

600. Do you not think the grievance in that case is in the law, and that it is not a grievance which falls upon that man in any special way if he has wilfully chosen to break the law?—If a man wilfully breaks an anomalous law, and the remedy is exceptionally harsh, I think he has a right to complain, even although he has been a law breaker.

601. You have told several honourable Members that you think the owners of ships, passenger-ships even, are more likely to be able to take care of their ships than the Government can do it for them. I want to know whether it is not perfectly possible, and, indeed, likely, that in many cases ships may be insured to such an extent that it may be a positive advantage to the owner that they should be cast away, and that he may care for nothing, except as regards the lives of the people on board?—Of course there is always that question. The question of insurance is one of the greatest difficulties of the whole matter. At the same time, I do not think you mend that by putting a Government pilot on board, or by taking the ship out of the shipowner's own hands. The thing has been exaggerated. No doubt, if a shipowner is over-insured, he may have an interest in losing his ship; but, on the whole, the interest of the shipowner is to make a good voyage and keep the ship safe.

Mr. *T. H. Farrer.*
25 March 1870.

602. By having compulsory pilotage, you ensure that there is somebody on board who will value the lives of the passengers as well as the safety of the ship?—I think you had better let the insurer look out for that, which he will do.

603. You said you thought in such a case there should be a claim for damages; has such an action ever been brought?—I should think in innumerable instances.

604. I mean for loss of life?—Yes; in one case the Board of Trade, under a special procedure provided for by the Merchant Shipping Act, recovered 6,000*l.* from the owners of the emigrant ship "John," to be divided among the families of the poor emigrants. But the best answer I can make is this, that ever since I have been at the Board of Trade, the Board have been pressed, year after year, by the shipowners to get rid of that liability under Lord Campbell's Act. I do not think they would press for that unless they felt it to be a real liability.

605. You say the larger shipowners would be certain either to employ a pilot, or else they would have their masters qualified to act as pilots?—I think so.

606. The assumption would be, that a ship which would be lost from want of employing a pilot would be one belonging to a small shipowner, to whom a little money would probably be an object?—Yes; but he does not want to lose his ship any more than a large shipowner.

607. At the same time, if he does lose it, it places him in such a position of insolvency that no action for damages would be of any value against him?—No; but he would be the less likely to wish to lose his ship.

608. No doubt; but the relatives of the people who are lost have no compensation whatever?—No. My position is this, that the shipowner is more likely to take care of his ship than the Government pilot is, and the ship is more safe in his hands than in the hands of the Government pilot.

609. Is there any way in which we can get the proportion of ships which are lost in pilotage waters with pilots, as against those which are lost without pilots?—No, I do not think there is; and I do not think it would be of much value to you if you got it.

610. You think the proportion would be much the same?—I cannot say what the proportion would be, but the nature and character of the ships would be so different, that you could not make any fair comparison.

611. Would the ships lost without pilots be all

Mr. *T.H. Farrer.*

25 March 1870.

small ships?—I should think the large ships take pilots generally.

612. I have just had put in my hands a paper giving an account of some trials at South Shields; I suppose there the system is voluntary?—Quite.

613. I see in this case that a man going off to pilot a steamer, which he says he has piloted ever since it was built, is interrupted by 10 pilots, who say that they and their children are starving, and that they must make a living as well as he; does not that tend to show that in places where pilotage is perfectly open, there is a competition which injures the position of the pilot, and makes it not what it ought to be?—I really do not know what the case there is. It is possible there may be more pilots than are wanted at the time; and I know there are differences between different classes of pilots. I do not think the Tyne is the only place where some of the pilots are badly off; and I do not believe that any want on the part of any of the pilots is due to the voluntary system; it certainly need not be so.

614. Does not this Bill rather put us on the horns of this dilemma: that if pilots will continue to be employed as before, it will be of no practical benefit, except as giving a theoretical exemption from the law; and if otherwise, there will not be the same number employed, and it must reduce the business of the pilot below that which it is at present?—I think not at all, believing, as I do, that the pilot will be just as well employed as before, and under a much more healthy system. It is not a theoretical objection at all. If the shipowner voluntarily employ a pilot, then, as in the Bristol Channel, the relation between employer and employed is healthy; if you compel him to employ a pilot, it is not. The shipowner feels that the pilot is not his servant, that he has not voluntarily taken him. The pilot feels that he must be taken, whether wanted or not, and the relation is an unhealthy one; just as if I employ a butler or a gardener voluntarily, the relation is a healthy one; whereas, if I am obliged to employ him, the relation is an unhealthy one.

615. Do you think it quite impossible to put the position of masters of ships towards pilots throughout the whole of the passenger service in the same position as the captain of a man-of-war is in, who is distinctly ordered by regulation, if he sees that the ship is going into any danger, to take the responsibility out of the pilot's hands?—I have said I think that would be an improvement.

616. You do not think it impossible, you think it difficult?—I think it is an illogical solution of the difficulty, and one that will give great dissatisfaction to the shipowners. I think they are right in their objection to it.

617. You do not think the public have any right to insist that there shall be some person on board who clearly has no interest in the property of the ship, but who has an interest in the lives of the people beyond the property of the ship?—I do not see what particular interest the pilot has in the lives of those in the ship. It is not a question whether the Government or the law have the right to do this or that. They have a perfect right to do anything necessary for the safety of the ship. Our position is this: that it is more likely to be safe if you leave the responsibility on the shoulders of the owners, than if you put the responsibility upon the shoulders of a man who is not responsible.

618. Even although heavily insured?—Even although heavily insured.

619. Mr. *Pemberton.*] I think you finished your evidence the other day by stating generally your objections to the present system; and I think you said that in the first place there was a *primâ facie* case against compulsion at all?—Yes.

620. Do you think that it is a *primâ facie* case against compulsion when the question involved is the lives of persons?—Yes, I do; because I think lives are safer under a voluntary system than under a compulsory system.

621. That is a matter of dispute; but setting apart the question under which system life is safer, compulsory or voluntary, do you think, the question being one of life, there is a *primâ facie* case against compulsion?—I think the question is in which way do you procure the greatest amount of good service, and the greatest chance of safety.

622. The question of the lives of the public being involved, it is not an ordinary question of compulsion, as it would be in the case of protection of property?—Life is more important than property, but they differ in no other way; it is as much the shipowner's interest to carry lives safely, as it is to carry property safely.

623. You say, "As a consequence of compelling an owner to employ a pilot, to put the ship in his charge, as a natural and logical consequence, you have taken the power and responsibility from the master and the owner of the ship." I think you also said this morning, that so far as you were concerned, you would rather be in a ship under a voluntary system, than under a compulsory system?—Yes.

624. Do you not think it would be an advantage to have the benefit both of the one and of the other?—How can you?

625. If you could have both, do not you think it would be an advantage?—Yes, if you could have the benefit of black and white at the same time.

626. Under the voluntary system, you have at present the advantage of the selection, which the owner would make under the compulsory system; you have the advantage of a person who is qualified, whom the Government insists on your employing; if there was any law under which those systems could be amalgamated, do not you think that would be an advantage?—I should like to hear what that system is.

627. If there was such a system, you would approve of it?—That I do not say until I hear what it is.

628. It is a simple question; if there were such a system, it stands to reason the advantage of a voluntary system, plus the advantage of a compulsory system, would be so much to the good?—If you get two advantages instead of one, no doubt two advantages are better than one.

629. As was suggested by my honourable friend the Member for Rye, do not you think it possible that the law might be so altered as that the compulsory service of a port might be maintained, and yet the owners of a ship might not be exonerated from all liability?—That, as I said before, is what was practically proposed in the Bill of last year; but it was said of that, and I think very properly, logically, and naturally, by the shipowners, "If you are to deprive us of exemption from responsibility, let us also be free to

to employ a pilot as we wish." I do not see how you can escape from that.

630. The system employed in Her Majesty's ships has been mentioned; do not you think some law might be devised by which the responsibility might not be entirely shifted from the owner, although he had a pilot on board?—The honourable Member for Hull has said, very truly, that the Queen's ships are not obliged to employ a pilot.

631. Assuming that an owner was obliged to take a pilot on board, do not you think the responsibility might be so shifted as to give you the advantage, both of the responsibility of the captain and also the advantage of an experienced pilot?—As I said before, I think the master and the owner should take the pilot wherever he is really necessary, and, therefore, that any such obligation is not wanted; then, as I said before, you only remove part of the grievance if you do that. You certainly remove one evil arising from the anomalous state of the law, but you still leave the small shipowner and the steamship owner compelled to pay for and take a man they do not want.

632. On the last occasion you gave us many instances of the hardship of the application of the present law; do not you think those cases are mere matters of detail—that is to say, the way in which the law is applied—and do not involve the principle of compulsory pilotage?—You might undoubtedly remove the present exceptional stringency of the remedy; in fact, we did propose to do it in our Bill of last year, without altering the nominal effect of law of compulsory pilotage. What the real effect of altering the remedy would be, I cannot say.

633. You mentioned several cases; can you tell me, without reference to the Papers, over how many years those particular instances were spread?—Those particular instances are, I think, all in this Paper. The dates of this Paper extend over about three years, I think. They do not seem to be the only cases, from the statement of the Sunderland shipowners; and naturally, if we reply, and make public our reply, that we are unable to interfere, people do not come to us any more.

634. I do not think there were a great many over the three years?—I only gave particulars of three, and I believe I referred to one other, which is mentioned specifically in this Paper.

635. I think you mentioned the case of a particular ship in which the Cinque Port pilots were concerned, in which there was a claim by a Mr. Drew?—Yes.

636. I think you said you did not know, as a matter of fact, whether that money had been returned?—No, I do not.

637. I believe it is the fact that it had been; but that, after all, is only as to the way in which the law was applied, and is no objection to the general principle of compulsory pilotage?—Of course you might make the remedy much less stringent, and then you would not have those cases of hardship of sending for a man, and putting him in charge of a policeman, and carrying him off 70 or 300 miles. You would still have the hardship of compelling a man to pay for what he did not want, and fining him if he evaded the obligation.

638. All those matters which you have mentioned are merely matters of detail in the administration of the law?—I have mentioned them to show, not the evil of the law of compulsory pilotage, but the evil of the remedy under the present Act.

639. The remedy, according to the existing system?—Yes: I showed how harshly this law, in itself originally harsh and anomalous, had worked.

640. You do not think, as a necessary consequence of a system of compulsory pilotage, that these evils must necessarily arise?—Not necessarily; but, at the same time, you would have very great difficulty in enforcing strictly a system of compulsory pilotage without some stringent remedy. If a ship is to go through the Downs, or down the Thames, and then go to Sunderland and Shields, it would be very difficult to recover the pilotage without some very stringent remedy.

641. You also referred to the case of the "Spindrift," did you mention that at all with a view of showing the bad operation of the laws relating to compulsory pilotage?—I think I only mentioned it to read certain passages. I read the opinion of the Elder Brethren and the opinion of the Admiralty in the case of the "Vigilance."

642. Do you remember where the "Spindrift" was wrecked?—Yes.

643. It was at Dungeness, was it not?—By the 370th section of the Merchant Shipping Act, the London district of the Trinity House is defined to include the water of the Thames, and seas and channels leading thereto, as far as Dungeness, and by section 376, the employment of pilots is made compulsory within that district. The "Spindrift" was wrecked within Dungeness.

644. That is not out of the compulsory pilotage waters?—No.

645. In that case do you know that the owner of the ship chose his own pilot?—I should think it was probably the case that he chose the pilot out of the licensed body of pilots. I did not, however, quote it as against the owner. All the evidence goes to show that the owner had taken the utmost care and precaution. I referred to the case as illustrating the bad effect of the present law of compulsory pilotage, and its consequences on the relation between the pilot and master.

646. Is it the fact that the Board of Trade exonerated the pilot?—No; emphatically, No! And the Trinity House, with whom the power rested, did not exonerate the pilot; they suspended him for three or six months.

647. Did not the Board of Trade exonerate him?—No, most undoubtedly not. They had no jurisdiction to say anything about him.

648. He was a Trinity House pilot?—Yes.

649. Have you any means of showing the actual number in any particular year, or over any particular period of years, of ships that have been lost when in charge of the Cinque Port pilots, for instance?—No.

650. I think yesterday you put in a document relating to the loss of ships in the Newcastle-upon-Tyne district?—I quoted a great deal from a Paper, 455—62, improperly headed "Newcastle-upon-Tyne Pilotage."

651. I think at page 83 there is a list of damage caused by vessels under the charge of duly licensed pilots and the amount not recovered as against them, during the years 1860 and 1861?—That is a return given to us by Mr. Moss, the solicitor for the bargeowners on the Thames, of cases of damage, mostly of small amount, done

Mr. *T. H. Farrer.* 25 March 1870.

to barges by vessels in charge of a compulsory pilot. In one of the Papers I put in afterwards there is another long list.

652. Of course that includes all the cases in which any claim was made against a pilot?—That is more than I can tell; when they came with the deputation to Mr. Milner Gibson, we said, "Can you give us any instances?" And, in consequence of that, Mr. Moss sent in this Return.

653. Looking at that Return, it appears that, altogether, there were only 27 cases, and of those there are only 14 in which the owners were enabled to recover from the pilot; the other cases are cases where the pilot denied his liability, or put in some plea?—Yes.

654. I should like to call your attention to the letter of Mr. Moss which enclosed that Return: "By the desire of Mr. Milner Gibson, on Saturday last, when before the deputation, I beg to enclose you the statistics, and also the proposed amendment of the Act in the way determined on by the gentlemen who waited upon Mr. Gibson; you will observe that it does not wish to abolish compulsory pilotage, but only to make the shipowner liable for the damage done by his vessel, although under the control of a pilot, in the same way that all masters are responsible for the default of their servants;" do not you think a system could be devised by which the shipowner could be made liable, and that, then, one of the principal objections to compulsory pilotage would be removed?—That would remove the objection to the present law made by these bargeowners, but I think you would find that there would remain a very large number of objections to be made by the shipowner.

655. My honourable friend, the Member for Rye, hinted at the question; did not you think one of the principal objections to the present system would be removed if any fund could be provided by which the pilot would really have to find the money, in cases where the accident happened by his default?—You would remove this particular objection, but you would not remove all the others.

656. I believe, in many cases, all the earnings of the pilots go to one particular fund; all their earnings are amalgamated?—In some cases, as in that of Dundee, they are thrown into hotch-potch, and divided amongst them.

657. Supposing the law were that the owners of a ship damaged by the fault of a pilot should have a claim against the fund?—I think that would undoubtedly give a better remedy to the bargeowner, but it would diminish the responsibility of the individual pilot. It would be like insurance.

658. Would it diminish the liability of the particular pilot if the primary remedy was against the particular pilot and the secondary remedy against the fund?—No, it would not.

659. I think you said you supposed that the origin of this principle of compulsory pilotage had reference to the obsolete guilds?—I should think so, but I do not know.

660. Is not it the fact that in America the same principle has been adopted?—They have taken it from us, no doubt.

661. That law is still in existence in America?—I believe it differs in different ports; but in some ports, no doubt, the shipowner is obliged either to employ or to pay for a pilot.

662. I think you said you thought that the voluntary system had proved to be a benefit to the pilots, and you instanced the case of the Welsh ports?—Yes.

663. Do not you think that the increase which has happened in those ports has been with reference to the general increase of the trade of the locality?—I daresay that has had something to do with it. That has happened in all parts of the country and one would hope would continue to happen.

664. Of course the rise in trade in every locality would have nothing to do with the question of compulsory pilotage?—No.

665. It is, of course, entirely independent; do not you think if the compulsory pilotage existed in these places, the trade of which has so increased, the pilots would have earned so much the more?—I do not think the thing would have been by any means so satisfactory from all I hear from the shipowners and pilots.

666. Of course, they would have shared in the general increase?—They might have got more, but things would not have been so satisfactory.

667. I suppose it is not the intention of the Legislature in any way to provide for the master of the ship, without any examination at all, being at liberty to pilot his ship in compulsory waters?—The master of a home-trade passenger-ship is at present obliged to undergo an examination. To what extent that examination shall be carried, so far as local pilotage is concerned, is quite a different question, and I do not think that is touched in this Bill.

668. I suppose it is not the intention that owners should be at liberty to employ a person without any certificate or examination at all?—He is obliged to pass an examination now, and that part of the law is not altered.

669. I think you referred to an objection which the owners had to send their masters and mates to be examined?—In some cases they have had great objections.

670. That objection would still exist?—I have never heard of any objection to the ordinary examination under the Board of Trade; but as regards the pilotage examination, they have to pay a fee for it in the first instance, which is one reason why they object; and to pay a fee for the renewal every year, which is another reason. At Liverpool, as I said before, for some reason which I am unable to explain, they certainly are exceedingly averse to applying; and yet the masters of these very steamers, who are thus unwilling to apply, have been in the habit for years and years of conducting their ships in and out every day with safety.

671. You say you think the new system would promote healthy competition; do not you think it would be at the risk of the public, at all events for some time, till the merits of the system had been tried?—No, I think not.

672. Under the new system would there be that constant attendance of the pilots which there is now?—If we are right, we think there would be quite as great, if not a greater, attendance.

673. You do not propose to compel the pilots to attend?—That would rest with the pilotage authority, as it does at Shields, or Cardiff, or Dundee.

674. So that, although by the new Act nobody would be compelled to take a pilot, yet the pilotage authorities might compel the pilots to be in attendance?—They might; but they would probably

probably never need do so, if their services were required there.

675. Still, that would be a possible result?—A possible, but a very improbable result.

676. You say you think that, even if the new system were carried into effect, as many pilots would be employed as are employed now?—In most places; where they are wanted they would.

677. Would they be the same pilots?—I do not see why there should be any difference.

678. It is rather a question of compensation?—If they were not employed.

679. As to the question of compensation, I think you say that is a mere matter of detail, to be considered afterwards?—As to certain points in it, and the application of the principles of the Bill to particular cases.

680. I think my honourable friend, the member for Hastings, alluded to the immediate diminution of a person's income and the great disadvantages which might happen; for instance, if he has to pay for life insurance, or any contribution to superannuation funds?—That period is a matter of detail to be considered.

681. I think you said you did not think there would be a greater area of selection of pilots, that there would be a larger class from which pilots would be selected?—That would, I think, depend upon the circumstances of each port and upon the pilotage authority. It is quite obvious that in the Thames there are a great number of persons constantly acting as pilots, and earning large incomes; acting just as regular pilots, but who are not licensed.

682. I do not quite understand whether you think the result of this change would be, that in most cases they would take pilots, and if so, whether they would take them from the same class, or whether the result would be that they would do without them?—Where they are really wanted now, they would still continue to take them, and they would take them from the same class, because the licensed pilot under this Bill has the power of superseding the unlicensed pilot; the pilot would retain the advantage of his license.

683. So that unless the result was that they did not take the pilots at all, there would not be very much change in the system?—Not so far as the pilot is concerned, except that the relation would be voluntary instead of compulsory, which is a very considerable change.

Friday, 1st April 1870.

MEMBERS PRESENT:

Colonel Bourne.	Mr. Malcolm.
Mr. Thomas Brassey.	Mr. Phillip Wykeham Martin.
Mr. Cave.	Mr. Norwood.
Mr. Gourley.	Mr. Pemberton.
Mr. Graves.	Mr. William Philip Price.
Mr. Grieve.	Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.	Mr. Stevenson.
Sir John Hay.	Mr. Charles Turner.
Mr. Shaw Lefevre.	Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., IN THE CHAIR.

Mr. THOMAS HENRY FARRER, re-called; and further Examined.

Mr. *T. H. Farrer.*

1 April 1870.

684. Mr. *Charles Turner.*] WITH regard to the protection of life and property, I think you stated to the honourable Member for Rye, that it might be left to owners and insurers who knew what their interests were to provide for that?—Yes, I think I said so.

685. Do you not think it is better for the Government to make provision as to that, than to leave it to any party to do so?—I think that the real question is in what way do you provide best for the safety of life; do you provide best for it by interposing a Government officer or by leaving the responsibility upon the shipowner? I am very much struck by what has happened at the Board of Trade; I think that almost every year since I have been there, that the shipowner has objected in the strongest way to his liability under Lord Campbell's Act. But he does not object to Government supervision, or at any rate not to the same extent, from which I gather that the liability under Lord Campbell's Act operates much more strongly upon his mind or much more strongly upon his actions than the Government supervision.

686. How then do you account for the course of maritime legislation since 1854, which includes the compulsory examination of masters and mates, and salvage for life, and so on?—I never said that I thought that the course of legislation had been entirely consistent, and I believe I did say that I thought that placing the liability upon the ship, or upon the owners of a railway, was at variance with the principle of Government supervision. No principle is ever carried out perfectly logically; but I do not see anything in the case of compulsory examination of masters and mates which is analogous to compulsory pilotage. The examination of masters and mates is precisely the same thing that is done in the case of barristers and doctors; you merely see that a person possesses a certain amount of qualification. You compel nobody to employ him, and you allow anybody to obtain the certificate and pass the examination who is able to do so.

687. Then you approve of the examination of masters and mates, but you disapprove of the examination of pilots?—I do not disapprove of the examination of pilots at all; I entirely approve of the examination of pilots.

688. But you would compel shipowners to take masters and mates who had been examined, and you would not compel them to take a pilot who had been examined?—You do not compel them to take a master or mate at all. You say that a man shall not exercise a certain calling unless he has proved his competency; but you do not force the owner to take any particular master or mate; you only say, if you take a master or mate you shall take a man who has been examined. In the same way, under this Bill, you say to the owner, if you take a pilot, you shall take a licensed pilot.

689. I think you stated that you did not see how the law could be made uniform, except by the abolition of compulsory pilotage?—I said that I did not see any way of clearing away all those anomalies which have grown up, except by going to the root of the matter and to the cause of the anomalies, and removing it.

690. Will there be no anomalies under the new Bill; I think you propose exemptions there in the respect of the immunity of owners in France and Belgium in that respect?—I am not aware that there will be any anomaly as regards either the voluntary employment of pilots, or as regards the law of liability. There will be different rules of pilotage, varying with the circumstances of the different ports.

691. How do you account for the difference of rule between the ports north of Boulogne, and those south of Boulogne?—I am really unable to account for it; it is historical; there it was, and there it is.

692. Why do you continue it?—Because I think that if you tried to take away that exemption you would find that the shipowners of our ports would resist you in such a degree that it would be impossible for you to pass any Bill of the kind. I say that it would be impossible for you to remove anomalies by making compulsion universal, even if it were desirable to do so.

693. But, even taking away compulsion, you have anomalies, do you not?—We leave the different regulations which the circumstances of different ports require, if you call them anomalies, in the hands of the pilotage authorities.

694. Then the burden of your argument generally is in favour of the abolition of the non-liability of shipowners?—My argument is strongly in favour of the liability of shipowners. I wish to take the exclusive liability off the pilot and put it

it on the shipowner. My argument is in favour of the abolition of the non-liability of owners, and in favour of doing away with those anomalous cases in which the owner is not liable for the conduct of his ship.

695. Would not the owner be rendered liable by the omission of section 388 of the Act of 1854?—I am afraid not, because the courts have settled that the immunity from liability arises at common law from the fact that the law compels an owner to employ a pilot. I have read some passages to that effect.

696. I think that now the pilotage authorities have the power to abolish compulsory pilotage in different ports, have they not?—They have.

697. And that principle is reported in the Bill of last year?—It was so repeated. That clause remained, and it is in the Bill of this year also.

698. And that goes upon the principle of the local authority being the best judge of what is desirable in its own district?—Quite so.

699. Why would you depart from that principle as regards compulsory pilotage?—Because compulsory pilotage, and those immunities from liability, are different from those local laws and regulations which are necessary for different ports, and which must differ in different ports. They are general principles, and the law becomes a mere chaos if you have the law upon those subjects differing in different ports.

700. Then, as I rightly understand, that although you think that it is compulsory upon a shipowner to employ a licensed pilot, you do not think that it is wrong that he should be obliged to employ a licensed master and mate?—I do not think it an oppression upon the shipowner to be obliged to employ a licensed pilot if he employs a pilot at all; but I think it is an oppression upon the shipowner to be obliged to employ a pilot, when a pilot very often is not necessary.

701. But whatever the compulsion to employ a licensed master or mate, it is compulsory with a limitation?—In the slightest possible degree; you cannot employ a barrister in a court of law who has not passed the examinations of the Inns of Court; but that is really no limitation upon the employment of a lawyer; you cannot employ an attorney who has not passed the examination at the Law Institution; but that is no limitation upon your employing an attorney; you cannot employ a doctor or a surgeon who has not passed an examination.

702. But at one time it was not necessary for them to pass an examination, was it?—It was not.

703. And the examination was enforced for the protection of life and property?—It was enforced possibly ultimately for the protection of life and property; but I should say rather for the purpose of raising the status and the education of the class.

704. Improving the class of masters and mates?—Improving the class of masters and mates.

705. I think you gave an illustration of a warrant being issued against a master in North Shields for penalties incurred at Gravesend, and you put that as rather a hard case; but is not that a course of proceeding which is applicable to the recovery of all penalties, and not to compulsory pilotage only?—I suppose that a penal clause of any kind might operate harshly in such a case; but it operates with double harshness when the offence which you have created is such a non-natural and artificial offence as not employing a person whom the shipowner does not want to employ.

706. But it is the law, and it is not for a man to judge as to the harshness of the law; it is a question whether, in all cases of penalty, you must not have such a course of procedure, and whether, if you do not pursue such a course, you have a penalty at all; is not that so?—No doubt, so long as the law is so, the man must submit to it; but we are now considering whether the law should be altered or not.

707. But so long as it is the law must not a man obey it?—Yes; but there are laws, and there are laws, and some laws are much harsher than other laws; in general penalties of this sort do not operate harshly, because the person who commits the offence is resident in the place; penalties against a shipmaster do operate harshly because he is always moving from one port to another, and to bring him from a port at a distance to another port at which he may have committed the slightest offence certainly operates harshly upon him; therefore it is exceedingly desirable that the laws against him in that respect should not be non-natural or artificial laws, but that they should be just laws.

708. But are you not rather assuming the question in that answer?—I say here is a man who is perfectly able to conduct his own ship, and who is conducting it. A man comes and says, "Take me on board as a pilot;" the master says, "I do not want you," and he goes away; upon these bare facts I say it is exceedingly hard that he should be told that he must pay a very large sum of money, or else that he must come back and stop his voyage, and put his owner to all sorts of expenses, and be brought back from Sunderland to Gravesend. But there is another point in these hard cases which I do not think I mentioned as clearly as I ought to have done the other day. In the particular case brought before the Board of Trade by Mr. Lindsay, there was a question whether under the circumstances the pilot could have been taken on board or not, whether the pilot offered himself in such a way as that the ship could take him, and whether it was not rather the pilot's fault than the shipmaster's fault that he was not taken on board; if the shipmaster could show that the pilot did not do his duty in offering himself, of course he would not have been subject to penalty; but it was not worth his while to dispute the question; coming up to Gravesend would have cost him a great deal more than the penalty, and therefore the real question at issue was never tried; in fact, the man has not a chance.

709. But the case would have been the same, I apprehend, if the pilot had offered himself, as we presume he did, nothing being shown to the contrary, in a proper way, and there being a necessity for a pilot?—But the master had not the least chance of proving his side of the case; he had no chance of offering a defence, because it was better worth his while to pay than to incur the expense of coming up to Gravesend to defend himself.

710. I think you stated, in answer to the honourable Member for Liverpool, that the case of the Liverpool pilot-boats required special consideration?—Very special consideration.

711. Is there anything in the Bill which provides for that?—There is nothing in the Bill

Mr. *T. H. Farrer.*

1 April 1870.

which provides for it, for when the Bill was drawn, we felt it hardly possible to provide for such a special case as that, without more complete knowledge of it; but I think that to some extent the Bill provides for it, because to the extent to which the pilot who is superannuated may be a boatowner himself, the Bill would probably enable the Government, in superannuating him, to take into consideration what he received by way of the earnings of the boat, as well as what he received as pure pilotage earnings; as regards those boatowners who are not pilots the Bill does not provide for it.

712. But it would be left entirely to the discretion of the Government?—No doubt the Treasury and the Board of Trade have a discretion, because it would be scarcely possible to leave a claim of that sort undefined; if it can be defined in the Bill so much the better for everybody; if it cannot be defined in the Bill, it will never do to leave an indefinite claim in the pilotage authority upon the public exchequer.

713. Have you proposed to put any clause in the Bill to make it imperative upon the Government to consider the claim?—I suppose that that will be a matter now for this Committee and for the Government to consider; but we have been looking into the subject of those boats for such information as we could get; the subject of these boats at Liverpool no doubt does require serious consideration from the Committee.

714. *Chairman.*] Not only with reference to compensation, but with reference to the general practice?—With reference to the general practice. I was much struck with an expression in a letter which I read from Mr. Forwood, to the effect that this boat system was a dead weight upon the pilotage system of Liverpool; and in a paper by Lieutenant Graham Hills, the Marine Superintendent, there is a passage with which I was struck. He says, "The system unquestionably works with some disadvantages which are open to amendment; the method of boat-owning, instead of every pilot having an interest in his boat and contributing fairly to her maintenance, only about half the pilots have shares: to be a boat owner has been an object of emulation, but this emulation has run up the price of shares to an enormous premium, and the capital invested in faith in the existing system, instead of being equivalent to the cost of the boats which would be about 30,000 *l.* amounts to nearly 90,000 *l.*" I think it would be worth while to explain to the Committee exactly what that system is. First I had better mention what the Act of Parliament is. The Act of Parliament of the 21 & 22 Vict. c. 92, s. 157, the Act of 1858, which re-enacts former Acts, states exactly how those boats are to be owned. The boats are owned by pilots; but when a pilot dies his share, unless it is voluntarily sold to another pilot, is put up to auction at a price fixed by the Mersey Board. That price is fixed under the Act of Parliament, not only with reference to the actual value of the boat, but with reference to the proportion of the earnings of the boat which are appropriated to that boat under the Liverpool Pilotage Bye-Laws. If the boat is not bought at that price at the auction, then the Mersey Board may allow either the representatives of the deceased pilot, or the superannuated pilot, as the case may be, to continue to hold his share in the boat for a year; and, at the expiration of that year, they may continue the license. It appears that under that system about one-third of the shares in the boats are owned by persons who are no longer acting pilots. Then by a bye-law, No. 144, passed in 1861, which is also, I believe, a repetition of a former bye-law, the earnings of each boat are divided into eight shares. Of these eight shares two-and-a-half go to the boat. Now I should like to read to the Committee what the Commission of 1836 said about this system. This is the report of the Commission on Pilotage in 1836:—"At the port of Liverpool 11 boats have been licensed for cruising with pilots which are owned by the masters of the boat and such other pilots belonging to the port as can raise sufficient capital to purchase a share. Some hold shares in more than one boat, and the extent and number of the shares depend upon each individual's opportunity and ability to purchase. The crew of each boat consists of two masters, one of whom always conducts the sailing of the boat while the other remains at home, of a certain number of apprentices, and from 10 to 15 pilots. The earnings are ascertained once a quarter, and after deducting for provisions, contributions to the fund, &c., the residue is divided into shares, as follows: Two masters one share each (say), 10 journeymen or licensed pilots one share each; owners for three apprentices, or two-thirds of three shares; ditto, unlicensed apprentices; ditto, wear and tear of boat; exhibiting a total of 18 shares when there are only 10 pilots on board." I think the proportions are somewhat varied in the more recent bye-law; the same system, at any rate, was in existence then as is in existence now, even if the proportions are not exactly the same. The Report of the Commission goes on: "It appears in evidence that the owners of one boat, No. 11, have divided a profit at the rate of 800 *l.* in one year; and the consequence has been to enhance the value of the pilots' vessels from 1,200 *l.* or 1,400 *l.*, their original cost, to between 4,000 *l.* and 5,000 *l.*, and even more. This, moreover, does not include the allowance to the masters, who do not act as pilots, and whose duty might, as in the Cinque Ports, be equally well performed by the senior pilot on board. We are of opinion that this system, in an establishment which appears otherwise well conducted, should be discontinued; but as the present owners of these boats have paid such exorbitant sums upon the faith of an existing Act of Parliament, they are fairly entitled to remuneration, which may be arranged in the following manner." Then they propose a plan for the abolition of this system; they say that the rates of pilotage were too high at Liverpool; that a portion of them should be devoted to the purchasing of the interest of those boats as a sort of sinking fund; and when that interest was purchased the pilotage rates should be reduced, and after that only so much of the earnings should be given to the boat as would actually pay for its cost and wear and tear. These recommendations were never acted on, and the same system goes on now; and as far as I can understand now, the facts are that there are now 12 boats; that according to the marine superintendent their value is about 30,000 *l.*; that the sum actually invested in them by the pilots is about 90,000 *l.* or 92,000 *l.* According to statements at a meeting that was held amongst the pilots lately, it appears that nearly 30,000 *l.* belongs to superannuated boatowners, and not to actual pilots.

pilots. It further appears that the whole pilotage earnings in 1868 and 1869 were about 67,000 *l.*, and that the total paid to the boat-owners, after paying expenses, was 6,853 *l.*, which, of course, is what Mr. Forwoord and Lieutenant Hills mean by the "dead weight upon the pilotage of the port."

715. Have you at all considered the question as to the adjustment of the compensation due to the pilots for their boats?—I am not in a position to propose any plan; but it would seem very desirable in any plan that was proposed that this system should be got rid of; that whatever is done should embrace some plan for freeing the pilotage of the port from this, which is obviously not only so much substracted from the actual earnings of pilots, but a sort of vested interest which prevents any alteration in the pilotage system in Liverpool, such as the employment of steam pilotage boats, as has been suggested in one of those papers.

716. I think that you proposed in this Bill that if the demand for pilots shall have fallen off, the pilotage authority may withdraw such a number of pilots as would leave the remainder at about the same emolument?—Yes, so that the remainder shall not suffer; but if the anticipations of either Lieutenant Hills or Mr. Simpson prove to be correct there will be really no case for compensation. I see that Mr. Simpson, the Superintendent of Pilotage, states: "Even without a compulsory system the employment of pilots in such ports as Liverpool would probably be universal;" and he goes on to say in another place in his paper, "Another reason is that with every facility for examination afforded to masters and mates, the number of pilotage certificates applied for has been exceedingly small; and the natural inference is that masters and mates consider the pilotage of the port so difficult that it is not to their advantage to take out a certificate. One shipowner has admitted that although he offered 25 *l.* a year additional salary he has altogether failed in inducing the masters of his ships to present themselves for examination. Only 29 certificates have been issued, and out of this number 20 have been resigned, or cancelled by death; of the nine remaining, one is held by a master of a steamer in the foreign trade, who nevertheless invariably employs a pilot, and eight by the masters of certain Glasgow schooners;" so that he thinks that the pilots will not suffer.

717. But supposing that they do suffer, and that there is a falling off in the receipts of the pilotage, out of what fund is it proposed to give superannuation to them?—Out of the public exchequer.

718. Sir *Henry Selwin-Ibbetson.*] Does that letter refer to any particular port?—I should mention that the papers from which I have quoted of Lieutenant Hills and Mr. Simpson, are some printed papers which have been circulated by them or by the Mersey Board. They are in substance criticisms upon the memorandum of the Board of Trade which was published. They relate entirely to Liverpool. They argue the general question of compulsory pilotage, of course, but with particular reference to Liverpool.

719. Mr. *Charles Turner.*] Is it not provided by the Bill that the number of pilots to be superannuated is to be decided by the Board of Trade?—The Board of Trade and the Treasury have both a check upon the thing; but of course it is to be presumed that they will act fairly in the matter.

Mr. *T. H. Farrer.*

1 April 1870.

720. But do you not think it better that the pilotage authority of the port, being better acquainted with all those matters than the Board of Trade can possibly be, should be the authority to decide as to the number of pilots required, and the number to be superannuated?—They are to decide it in the first instance, but the Government would have a check upon it. I do not think that it would quite do to allow the pilotage authority of Liverpool to have an unlimited power of drawing upon the public exchequer.

721. But are you aware that the pilotage authority of Liverpool do not consist of pilots?—Of that I am aware; but still Liverpool is Liverpool, and the public exchequer is the public exchequer.

722. But are you aware that the pilotage authority keep a very tight hand over the pilots?—I believe that the system of pilotage government is an extremely good one.

723. Are you aware that a certain number are elected by the Mersey Dock Board, and a certain number are chosen out of the ratepayers?—Yes.

724. I think it is one of your arguments that the abolition of compulsory pilotage would increase the number of pilots?—I do not say that it will increase them; I do not know whether it will or not; I believe that where all the pilots are really wanted there will be just as many as there are now, and if they are not wanted there will be fewer.

725. I think that in your paper you say that the pilotage of Bristol, which is compulsory, has decreased of late years, while that of Cardiff, which is now voluntary, has increased?—If I have said that it was due to the fact that the pilotage at Bristol is compulsory, I have said more than I intended, because the Bristol pilots have suffered in consequence of the pilotage being transferred from the Bristol pilots to the Cardiff, Newport, and Gloucester pilots; they did not take out licenses for those ports as they were enabled to do under the Bill, and the Cardiff pilots have done work which was formerly done by the Bristol pilots.

726. But do you not think that it is a fact that the decrease of pilotage at Bristol has arisen in a great measure from the decrease of the trade of Bristol; and that the great increase at Cardiff has arisen from the Marquis of Bute's docks and the new trade which has sprung up there?—There is no doubt that with the increase of trade there is an increased demand for pilots; and I hope that increase of trade will go on at Liverpool as much as it has done at Cardiff.

727. Therefore, the fact of the decrease of pilotage at Bristol may be attributed to the decrease of the trade; and the increase of the pilotage at Cardiff to the increase of trade at Cardiff?—I think that it is very obvious that the decrease of the trade of the Bristol pilots is due to the fact that the Pill pilots no longer have the monopoly of the trade of the Channel; all the ships used to be obliged to employ them, and now they are not.

728. But if the trade of Bristol has decreased, that would be a very important fact to consider; and if the trade of Cardiff has increased, it would naturally lead to an increase of pilots?—No doubt.

Mr. *T. H. Farrer.*

1 April 1870.

729. You need not look much further than that for the cause of the decrease at Bristol, and of the increase at Cardiff?—No; the way in which the fact is valuable for our purpose, is to show that where you do away with compulsory pilotage there are plenty of pilots still employed.

730. I think you stated that because the old Pilotage Commissioners of Liverpool refused to adopt the Act of 1853, and license masters and mates, the Board of Trade did so for some years, at least that the board began to do so, and then it ceased?—Yes; the Board of Trade granted licenses which exempted the ships from that new obligation under the 304th section of the Merchant Shipping Act. They granted those in the first instance to masters who had then been in the habit of piloting their ships; and for that purpose, proof of service and experience was the only thing necessary. When a certain time had elapsed, the Board of Trade were no longer able to rely solely upon the proof of service and experience, and they would have been obliged to examine. They disliked very much examining where there was a pilotage authority who could examine; and thinking that the Mersey Board really intended to examine fairly, they refused to examine themselves, intending to leave it to the Mersey Board.

731. How many persons did the Board of Trade license?—I have not got that with me, but I can easily get it, and will do so.

732. You have just stated, as I think you have stated before, that the Board of Trade licensed, not after examination, but upon mere proof of service?—They did so under the 355th section of the Act, which especially points to their so doing.

733. But do you consider that course at all equal to the examination which the Liverpool pilots have to undergo?—I am inclined to think that if a master had been in the habit of piloting his own vessel with perfect safety day and night, in and out of the port of Liverpool almost every day for two years, that would be as good a proof of his capacity as could be afforded by any examination.

734. Then, in point of fact, you would substitute for examination the proof that he might be able to pilot vessels going in and out of a port?—I should certainly feel quite as safe under the charge of such a captain, as if I knew he had passed an examination.

735. But would you think that a proper course for a public body to pursue, to do away with an examination upon such a proof?—The Board of Trade acted distinctly under the terms of the Act of Parliament.

736. But you would not approve of such a course generally, as merely passing a man through an examination to know whether he had piloted a vessel in and out of a port, and not whether he knew anything of his business?—With regard to all examinations of which we now hear so much, I would a great deal rather have the practical proof that a man had done his work properly, than I would have the sort of theoretical proof which you would get by an examination.

737. But would you put that into a Bill?—We did put it into that Bill.

738. Do you agree with the 25th paragraph of Mr. Simpson's letter to you, that it should be compulsory upon the pilot to perform the same services as he does now, and at the like rates and risks, but that it shall be voluntary on the part of the ship master whether he employs him or not?—I see no hardship in that, and I do not believe that it would be necessary to use any great (if any) degree of compulsion; I believe that the pilot would willingly go where he was wanted, if you gave him a proper rate for his services.

739. You are aware that the pilot service of Liverpool is a very hard service in the winter season; that there are gales of wind, and that there are great doubts entertained by the authorities of Liverpool, both shipowners and pilots, whether, in case a man was obliged to be upon the station at the great risk of his life in the winter season, you could maintain a service equal to the present service, supposing that in all cases of fine weather ships could sail past without taking a pilot?—The question of price is of course a question of great importance, and the price, no doubt, could be determined. We have no doubt that the question of price could be determined more easily under a voluntary system than under a compulsory system, because you could find out the price that the shipowner was willing to give for the services which he required. But supposing the price to be settled, that is to say, such a price as would induce the pilot to offer his services, and such a price as would make it worth the while of the shipowner to employ him, I see no reasons why the ordinary rules which govern trade and employment should not govern pilotage as well as other trades and employments; I believe that the pilot would go where he was wanted.

740. But the cases are not quite parallel. In the winter season a pilot exercises his vocation with very great risk of his life; he takes the sea in all weathers, when it is almost impossible for any boat, except a boat found and built as the Liverpool boats are, to keep the sea; and in fine weather, of course, there is the risk of no vessel requiring him. Do you not think it quite possible that there would be a crowd of pilots who would go out in fine weather and very few pilots who would go out, under the circumstances I mentioned, in bad weather where their lives were in very great peril?—I should think, probably not, because in the very fine weather they would not be wanted, and so there would not be so much motive on the part of the shipowners to employ them; but in the bad weather they would know that every shipowner wanted a pilot, and if you only fix a price remunerative to the pilot and not too high for the shipowner, they would be induced by the certainty of employment to go out in bad weather. Nothing keeps the Deal boatmen from going out for salvage purposes in the Downs whatever the weather may be, and so with the Yarmouth boatmen.

741. But are you aware that the gales of wind come on very suddenly, and that it might be impossible for a pilot boat to get out of Liverpool to Holyhead, for instance, in the teeth of a gale of wind, when the vessels were coming in, and would very likely go on shore for the want of a pilot?—I am inclined to think that if the pilots are so necessary there, the pilots would be sure to be found; and I believe it is so at the ports where pilotage is voluntary. It is suggested that they might have a steamboat. It would be difficult for the Liverpool pilots to have steamboats now, without altogether altering their system of boat-owning; but it is very possible that if the

thing

thing were rather freer, that might be found to be a thing which would pay all parties.

742. But are you aware that by the present system, a boat is obliged to be constantly at the station, blow high, blow low?—In the first place, I see no reason why that regulation should not continue if the pilotage authorities of the place think it right to continue it; but I believe that it is not by virtue of the compulsion that the boat is there so much, as by the knowledge that the boat is wanted there; and if the pilots want to earn their money, that is the course which they must take.

743. But, of course, you are aware that those boats cost a great deal of money; how would you make it compulsory, if the pilotage were voluntary, on a number of people to associate themselves together for the purpose of having a pilot always on the station, provided they had no security that they should receive pilotage at all?—I do not know how you can insure any person undertaking any dangerous or difficult employment, except by his knowledge that he will be properly remunerated for it; that is the best motive; and, as a matter of fact, in pilot ages which are not so important as those at Liverpool, but I should think almost equally difficult, there is found to be no difficulty whatever in supplying those boats. It is a very curious thing in what a quantity of different ways those boats are found and supplied; we have just called, for the information of the Committee, for a return from all the pilotage authorities, of the boats employed in the pilotage service, and the mode in which they are owned and kept up, and I think it will be found that in some ports they are owned, as at Liverpool, under very strict regulations, whereas in other ports the supply of the boats is left entirely to the pilots themselves, and there the boats are perfectly good and perfectly efficient.

744. I think you stated that there was a disinclination on the part of masters and mates of coasting steamers to apply to the Mersey Board for a license?—There certainly is such an objection. Whilst on this subject let me mention that I did a great injustice to Mr. Simpson. I put in a letter of his, in which he spoke of an "unholy alliance" between the pilots and steamship owners, and I find that that letter was a private letter of his to Admiral Bedford. It had been previously treated as a public letter, and I therefore put it in; but I ought to apologise to him for having done so, and having done so, I may say that he need not be ashamed of his letter, for it has done more credit to the Mersey Board than anything else that I have put in.

745. Does that arise from the difficulty of the examination which they would have to undergo?—I really cannot tell. I only know that the owners of those steamers have come to us, constantly saying: We will not; or we cannot get our masters and mates examined by the Mersey Board. We come to you for certificates.

746. Do they not like the examination?—I do not know what their reason was, or at least I can only guess at it. They will tell it to you themselves.

747. Does it not arise, that under the Order in Council of January 1854, reducing the pilotage to one shilling per foot on coasting steamers, the licensing of masters and mates is unnecessary?—No doubt that Order in Council relieves the owners of coasting steamers from a large part of the tax which they would otherwise have had to pay to the Liverpool Pilotage Establishment under the Local Acts, and to that extent it rendered it the less necessary for them to obtain certificates; but as I have explained before, there was another obligation under the 354th section of the Merchant Shipping Act, and it is in respect of that obligation that this question has arisen. I gave an answer to the honourable Member for Liverpool as to that, which was not quite correct. I said, that the present Mersey Board were in no way responsible for that order of January 1854, but that is not exactly the fact, because although it was passed before the present Mersey Board came into existence, it has continued in existence ever since the Mersey Board have taken the pilotage in hand.

748. You stated that the present Bill to abolish compulsory pilotage is only a step in the right direction; what do you consider the next step, and what is the ultimate point to be aimed at?—I think that that is a thing to be worked out by the pilotage authorities; I said that it was quite obvious in certain places (I did not say in all), such as the Thames; that there were a great number of persons doing pilotage work who ought to be admitted to whatever privileges a pilot may have; but I think it is quite impossible to foresee how things will work in different ports; and if the pilotage boards represent, as they do in Liverpool, the shipping interest, they probably will work it out in a perfectly satisfactory manner.

749. Do you not think that if the obligation to employ a pilot is done away with, it is only fair to remove all the restrictions as to pilotage dues upon the pilot, except, of course, his holding a license?—I do not think that it is at all necessary, or at all desirable to abolish such a restriction as that which fixes the price. It would be perfectly impossible for the captain of a ship, when he comes into a port at sea, to make a bargain with the pilot; he is at the mercy of the pilot. You go as a matter of convenience, exactly upon the same principle as that upon which you fix cab fares; but you must necessarily fix them with reference to the value of the service in the market, or at any rate you would do so if the pilotage was voluntary.

750. But is it not a certain interference of the law of supply and demand to fix the rates?—Just as much as it is in the case of cabs; I should mention that even in the case of salvage, you have an exception to the ordinary freedom of contract, because the Admiralty Court holds that it will always set aside a salvage contract made at the time when the salvage service is offered, if they consider that the demand has been extravagant.

751. I think one reason which you had for abolishing compulsory pilotage was because you wanted to get rid of the immunity of the ship?—I want to get rid of that anomalous state of the law which I described.

752. I suppose it would be possible to abolish the immunity of the ship and still retain compulsory pilotage, would it not?—It would be possible to do so; that is to say, there would be no logical impossibility in it; but I think you would find great difficulty in persuading shipowners to assent to such a law; that when you had passed it they would be more than ever opposed to compulsory pilotage, which must in the end be repealed;

Mr. *T. H. Farrer.*

1 April 1870.

repealed; and I believe you would only be making two bites of a cherry in doing it.

753. Colonel *Bourne.*] In the year 1860, when Mr. Dunbar gave his evidence before Mr. Lindsay's Committee, was that after the case of the Gravesend pilot, or before it?—That I think was before the case of the Gravesend pilot; to the best of my recollection the Committee was in the summer of 1860, and I think that that case occurred in the winter of 1860-61.

754. My impression is that it occurred in 1860, and that the Committee sat in June 1860; was that so?—The honourable Member is perfectly right; Mr. Lindsay's letter is dated the 12th of January 1860, and the Committee sat in June 1860.

755. Then, in point of fact, when Mr. Dunbar gave his evidence in favour of retaining compulsory pilotage, he was aware of that grievance?—I should think it very unlikely that Mr. Dunbar was aware of that, for this paper was not published till July 1862, and I should not think Mr. Dunbar troubled himself about what happened to a Sunderland ship.

756. Do you think that in case compulsory pilotage is done away with, pilots would show as much zeal, and be as attentive to their duties as they are at present?—One of the reasons we had for wishing to do away with it, was that we thought that if their services were voluntary they would show greater zeal.

757. I think just now, in answer to a question of the honourable Member for South West Lancashire, you stated that pilots would be quite as likely to go into dangerous places to meet vessels coming into ports, under the voluntary system, as under the compulsory system?—We think so, because they would be more wanted than otherwise.

758. Of course you are aware that they would receive the same amount for doing less work?—That would be so under the present pilotage rates, but even that is not necessary, for in Holland I am informed that they have different rates in winter from those they have in the summer.

759. And there the compulsory system does not exist, does it?—That is more than I can tell.

760. You stated on the last meeting of the Committee, that the Trinity Board have changed their opinion with regard to compulsory rates; that in 1862 they were very much in favour of them, and that since then they have changed their opinion; did they give any reason for that change?—I quoted from certain proposals which the Trinity House had made to us, what they proposed; and I therefore gathered that they have changed their opinion; but I can only collect in a general way from all that has passed what it is that induced them to change their opinion. But when I see that the London shipowners have changed their opinion, I can hardly doubt that that has its effect on the Trinity House.

761. *Chairman.*] Is it not rather the case, that in the year you speak of they were opponents of the abolition of compulsion, whereas now they are silent on the subject?—They are not only silent, but they have proposed to us to extend considerably the exemptions which they wished to be contracted a few years ago.

762. But in the Bill for the Abolition of Compulsory Pilotage they have been silent, have they not?—They have been officially silent.

763. Colonel *Bourne.*] I was under the impression that you stated that they had quite changed their opinions; was I mistaken?—I stated that their tone was entirely changed; that whereas in 1857 they objected (as will be found in these papers) most strongly to the extension of exemptions in favour of vessels bound to the north of Europe to the cases where those vessels sailed to and from the out-ports, and thought that those exemptions would ruin the local pilots; on the other hand, in the course of this winter they have asked the Board of Trade to extend these particular exemptions by including in them all vessels bound not only to the north of Europe but to any port on this side of Brest.

764. Have they given any reason for that change?—No.

765. Supposing this Bill to be passed into law, will you tell the Committee how you propose to compensate the pilots of Liverpool within two years, and at the same time to insure the service under the voluntary system?—I think I said before that that two years was a matter of detail for the consideration of the Committee.

766. In proposing the abolition of compulsory pilotage you have admitted, have you not, that the question of compensation to the pilot boats would require special consideration?—I said so.

767. If the principle of the Bill were established, would it not be fair that those matters should be determined by an actuary, independent of the Board of Trade?—I do not think that it would be really anything of sufficient complication to render it necessary to employ the services of an actuary.

768. Would there not be conflicting interests?—It really is rather for the Chancellor of the Exchequer, and for the House of Commons, than for me to give an answer upon that point. I feel sure that the Treasury would be willing to anything that is just in the way of compensation; but I am quite sure that they would not be willing to allow any local authority to have an unlimited pull upon the public purse.

769. Have there been any complaints as to the want of attention to their duties on the part of pilots, or as to their incapacity in those particular ports where pilotage is compulsory?—Those complaints, if they exist, would hardly come to the Board of Trade; but I think one reason for the change of opinion to which I have adverted on the part of the London sailing shipowners is that they think that they would be better and more zealously served if the pilotage were voluntary.

770. But, so far as the Board of Trade is concerned, no complaints have reached them?—I do not think that any complaints have reached them with respect to the misconduct and negligence of pilots, either in places where the pilotage is compulsory, or where it is voluntary. But those complaints would not come to them; the complaints about the negligence of pilots would go to the pilotage authority.

771. Are you aware whether the Liverpool Pilot Committee punish with great severity any pilots who neglect their duty?—As I said before, I believe that the Liverpool Pilotage Committee do their duty very efficiently; at the same time I have read (what I was not aware of before this Committee commenced sitting) a letter, and also an extract from a newspaper showing that all the shipowners in Liverpool were not satisfied.

772. Mr. *Grieve.*] You have been on the Clyde, I presume?—I have been on the Clyde.

773. Have

773. Have you been there frequently?—Not frequently, but I have been there.

774. Have you been up the river from Greenock to Glasgow?—Yes, I was down the river this year.

775. Have you formed an opinion of the navigation, and is it your opinion that compulsory pilotage could be safely abolished there, having regard to the sandbanks, and the narrowness of the river, and the great traffic carried on on the river?—I should be very sorry to offer an opinion upon a question of navigation of which I really know nothing; I am no sailor, but upon general principles, I should say that there, as elsewhere, if the pilot is really wanted for the safety of a ship you may perfectly well trust to a voluntary system.

776. From Greenock seaward, I think the pilotage is voluntary?—I believe it is voluntary from a little above Greenock, I think from just above Port Glasgow.

777. Have the Board of Trade had any complaints from shipowners as to the want of or the efficiency of pilots seaward from Greenock?—None.

778. Are you aware that the Pilot Board of the Clyde sit in alternate years in Glasgow and in Greenock?—I think that is so under the Act of 1858.

779. Are you aware that the Board sits this year in Greenock?—I was not aware of that.

780. I see that there is a petition from the Pilot Board, dated Glasgow, 1st March 1870, signed by the Lord Provost as chairman; presuming that is the fact that the Board sits in Greenock, does it not appear a strange thing that a petition should come from Glasgow while the Board sits in Greenock?—One would expect that if they are sitting in Greenock the petition would be dated in Greenock. In answer to a question which was asked me as to the time at which compulsory pilotage began on the Clyde, I said that I thought it was earlier than 1858; I find that it was by an Act which was passed in 1846 that pilotage became compulsory upon the Upper Clyde. The Act is 9 Vict. cap. 23, sect. 28 (Local and Personal).

781. By the Upper Clyde you mean the Clyde above Greenock?—Above Port Glasgow.

782. I think you stated that you considered life rather safer if you were a passenger on a steamer in charge of a volunteer pilot than if it were in a compulsory pilot; do you mean by that that the volunteer pilot would be more alive to his duties, seeing that he was interested in securing the good opinion of the captain, while the compulsory pilot, knowing that his services could not be dispensed with, and that his payment was sure whether he was employed or not, would be less alive to his duty under those circumstances?—I think that the voluntary pilot would be more zealous, and would endeavour more to obtain the approval of his employer; and, in addition to that, I think that the captain would not have the inducement which he now has to neglect the navigation of his own ship.

783. Mr. *Gourley.*] I believe that although you are not a sailor, as you have already stated, yet you have a pretty general knowledge of the whole of the pilotage grounds in the kingdom?—I have a book or map knowledge rather than an actual knowledge of them.

784. Have you not also made a personal inspection of them?—I have been in a good many of the ports.

785. Is it your opinion, from any information which you possess at the Board of Trade, that in those districts where compulsory pilotage exists, the pilots are as watchful in all states of the weather, in looking after vessels, as in those districts where the employment of pilots is voluntary?—I could hardly answer that question either one way or the other.

786. Are you aware that the London Trinity House pilots rarely go beyond the pilotage grounds at Dungeness in search of homeward bound ships, and that the latter have frequently to haul in at Dungeness, and after throwing out signals, have to wait several hours to procure pilots, thereby causing danger not only to property, but to life?—I have frequently heard of complaints from shipowners that the pilots skulk under Dungeness, and that the ships cannot find them.

787. Has it ever come to your knowledge that at night there is also in rough weather a difficulty in getting pilots off at Gravesend, and that vessels, even though the water be sufficiently favourable for going higher up the Thames, have to wait for a Trinity House pilot to take them up the Thames?—I do not think that that fact has come to my knowledge.

788. If compulsory pilotage should be abolished, is it your opinion that pilots will then go beyond their compulsory stations in search of vessels, as the pilots belonging to Holland and Belgium are now in the habit of doing, who are frequently found a long way down the English Channel in search of vessels bound homewards to the ports of Belgium and Holland?—I should think that that was very probable indeed, and I believe that that is the case with some of the Scilly pilots and others; they go out where they hope they will find homeward bound ships.

789. I believe you have stated that there are at present in all 194 persons who are licensed and qualified to act as pilots upon the Thames; if such a number were sufficient for the navigation of the large number of vessels trading to the Thames, do you think that the licensed pilots and those holding licenses, and having a right to supersede non-licensed men, would have permitted the unlicensed men, who now perform a large portion of the river work, to take charge of vessels without making some effort to surpersede them?—No; I think it is quite clear that the licensed pilots' services are confined to a particular class of vessels, and it is quite clear that there are not enough licensed pilots for all the vessels which want pilots in the Thames.

790. How do you propose in the Bill to supply the want which is now supplied by unlicensed watermen in the Thames?—It is not provided for in the Bill, because it can be perfectly well done by the Trinity House, if the necessity is brought to their notice.

791. I believe the Trinity House pilots have alleged that masters of vessels are in the habit of taking unlicensed men, and stowing them away on board their vessels, in other words smuggling them, having them on board dressed up as females; have you ever heard of anything of that kind?—The licensed pilots have told us so.

792. But have you ever had authentic proof of anything of the kind?—No; but I should think it exceedingly probable that if a shipowner could get a waterman to do the service at a smaller sum than a licensed pilot, he would do so.

793. You think that all a shipowner studies is economy, and not the safe and efficient ma-

Mr. *T. H. Farrer.*

1 April 1870.

nagement of his ship?—Not so; but it is quite possible (though I do not say that it is so) that a waterman may do what is required just as well as a licensed pilot.

794. In your opinion, is it a necessary qualification for a pilot in the Thames, that he should serve as master or mate on board a square-rigged ship, or are you of opinion that the seven years' apprenticeship of a Thames waterman is a sufficient qualification?—I do not like to give an opinion upon nautical matters, but it would seem that at any rate for steam vessels coming up from Gravesend, it is scarcely necessary that a man should have perfect knowledge of a sailing vessel.

795. Are you of opinion that the granting of licenses to all who have served an apprenticeship would produce a sufficient and ample supply of pilots, and thus cause them to be more anxious in looking after vessels, than would be the case with a limited number of licenses?—It is very difficult to say what the number of pilots should be; that will generally settle itself. If pilots are to be licensed at all, one would think that the licensed pilots should include all the persons who are habitually employed in the service, and for them there is full employment; beyond that it is very difficult to speak.

796. You have stated that, of the vessels navigating the Thames and its approaches, some navigate those waters with pilots and some without pilots; in your opinion, is it easier for ships exempt from compulsory pilotage to navigate the Thames and its approaches than for those which are subject to it?—I believe that in the upper waters of the Thames almost every ship takes either a pilot or a waterman.

797. Do the sailing colliers take them?—The screw colliers do, I think; I am only speaking of the river above Gravesend.

798. They do not take watermen at Southend or about there, do they?—No.

799. As regards the navigation of the Thames and its approaches in pilotage waters, is it your opinion that the navigation is as difficult as that of any other harbour or river in the kingdom, or, at all events, do you think that it would be as difficult as that of the Mersey or of the Clyde?—I have said before that I am no sailor, and I do not like to give my own opinion upon that; but the Trinity House pilots tell us that it is much more difficult; and very good nautical authorities have told me that, taking the whole pilotage into London, it is more difficult than that of Liverpool.

800. You have been on both grounds, have you not?—I have been on both grounds; but my own opinion is of no value upon such a point.

801. Do you know the harbours of Falmouth and Cork?—I have been at Falmouth, but I have never been at Cork.

802. If it be practicable for amateur sailors (and I apprehend that you are something of an amateur sailor), as in the case of yachtsmen to navigate the Isle of Wight waters and the English Channel ports without the assistance of pilots, must it not be very much easier for regular seamen, that is to say, masters and officers of ships to navigate those waters than for amateur seamen?—I should think so.

803. Therefore in the absence of compulsory pilotage, or of pilotage at all, it is quite possible, is it not, for regular seamen, such as masters and mates to navigate the Isle of Wight waters without their assistance?—I should have thought so.

804. From the experience which you have gained during the last 20 years at the Board of Trade, is it your opinion that compulsory pilotage may be safely abolished?—The Board of Trade would not have brought in this Bill if they had not thought so.

805. In your evidence the other day to the Committee, I think you stated that the late Mr. Dunbar, and other large owners of vessels were in favour of compulsory pilotage, on the ground that it freed them from general liability, but more especially with regard to collision with barges; did you mean to lead the Committee to believe that owners therefore cared less for the safe navigation of their vessels?—I think that an owner is naturally extremely anxious to free himself from any responsibility which he may incur by running down another vessel; and in fact Mr. Dunbar stated that that was his reason for approving of compulsory pilotage.

806. The Honourable Member for Liverpool the other day, in alluding to the evidence given by shipowners before Mr. Lindsay's Committee, referred to the evidence given by Mr. Eustace Smith. Mr. Eustace Smith at that time, I think, gave his evidence in favour of compulsory pilotage. Are you aware whether Mr. Smith still holds the opinion which he then held, or whether he has changed his opinion?—I cannot tell that.

807. Are you aware that Mr. Smith has recently spoken in the House of Commons in favour of the abolition of compulsory pilotage?—I am not aware of that.

808. Are you aware that Mr. Smith has now had cause and seen reason to change the opinion which he gave in 1860, and that he is now in favour of the abolition of compulsory pilotage?—If that is so, it is consistent with other changes of opinion which I have mentioned.

809. You stated that barge-owners had no remedy for damages done by vessels in charge of compulsory pilots; are you aware that barges, as now permitted to navigate the Thames, are a great hindrance to the safe navigation of the river, and that masters of barges frequently foul ships in the course of their navigation, and that after fouling the ships the barges receive damage, and are very often sunk, and that then they make claims upon the owners and the underwriters for new barges?—I said that there was a *per contra* to the case of the barges, or that with the vast increase of steam vessels the barges are very often very much in the way of steamers.

810. If licensed pilots on a free system are to be relieved from liability, and the liability is to be thrown entirely upon the shipowner, what penalty would you impose for careless navigation?—There is no proposal, that I am aware of, to free the licensed pilot from responsibility. The shipowner whose ship does the damage would be liable to the person to whom he does damage; but he would have his remedy over against the pilot.

811. *Chairman.*] Whatever remedy there is now?—Whatever remedy there is now, or whatever remedy the other party has now.

812. Mr. *Gourley.*] In the evidence which you gave on the 25th of March you stated that no alteration would be effected in the law of pilotage by the present Bill; will not the effect of this be to leave the masters of vessels amenable to the hardships which were alluded to by yourself in an answer to a question put to you by the Honourable Member for Rye, viz., making them liable to be taken under the process of a warrant issued by

by magistrates at Gravesend or Greenwich, as in the cases to which you referred as having occurred with Sunderland masters?—That is a case in which the master of a vessel having an unlicensed pilot on board refuses a licensed pilot. In that case he would be subject to a penalty, and he might be subject to that hardship. But the hardship would be less than the hardship I have referred to, because I should say that the law was a just law. But whether it may be desirable to soften the mode of procedure is another question.

813. Would you not recommend a civil rather than a criminal process?—That is a matter for consideration.

814. As regards the navigation of the Thames, will the present Bill interfere with the privileges of those watermen who have been supplying the wants of shipping now for a long period, and whose wants have been so long overlooked by the Trinity House?—I do not think that this Bill will in any way injure the watermen.

815. Then how do you propose to reserve to the watermen the rights which they have of navigating the Thames?—But this Bill does not affect those rights at all. Those rights are in question before another Committee in another room, but they are not affected under this Bill.

816. Under this Bill the watermen will be liable to be superseded by licensed pilots, will they not?—So they are now.

817. But do you intend to leave the law in its present anomalous position, and to leave them to do the work, they being at any time liable to be superseded?—This Bill proceeds upon the principle that there ought to be a body of licensed pilots, and that the pilotage authority licenses as many as are wanted. If that is so I do not see any hardship in allowing the licensed pilot to supersede the unlicensed pilot.

818. But is it your opinion that the present number of licensed pilots is sufficient?—I think it appears from the facts I have stated that there are a great many more persons employed as pilots in the Thames than have licenses.

819. Do you not think that it would be much better to throw the pilotage system entirely open upon the Thames and to leave it open for every one who can pass an examination to obtain his license rather than to keep up the present system of protection?—That may be so on the upper Thames. But, speaking generally, it is a very difficult question, and one which it would probably be better to leave the pilotage authorities to work out. A great many persons who are very strongly in favour of the abolition of compulsion are still in favour of the limiting of the numbers.

820. The Honourable Member for Liverpool said that he was struck with the absence of reference, on your part, to the bearing of the pilotage question upon the protection of life. May I ask you whether in pilotage waters there is much risk of life or of property, and whether it is not the case that pilots generally board vessels in weather which is tolerably safe, if not altogether safe for navigation?—I should be slow to bring an indictment against the pilots generally, and to say that they do not board vessels in dangerous weather.

821. Has not the navigation in pilotage waters been very much facilitated, of late years, by the proper buoyage of channels and approaches to harbours, as well as by the introduction of steam tugs, and so much so that, except in very bad weather, all our pilotage waters are comparatively free from danger?—No doubt a great deal has been done in the buoyage and marking out of channels in pilotage waters of late years, and, I believe, it is very well done.

822. Are the Liverpool pilots compelled or expected to be out in all weathers?—You will get that better from the Liverpool authorities; but, I believe, they are obliged to be out in all weathers.

823. You stated that the steamship owners generally objected to the compulsory pilotage system; can you tell us the reason why they object to it?—They object because they prefer that their steamers should be in charge of their own masters, who from their frequently coming in and out of the ports are acquainted with the navigation and are able to manage them themselves. They therefore wish to be left to employ their own people and not be obliged to employ a pilot if they do not want him, and many of them object to this anomalous state of the law as regards liability.

824. Is it not also in consequence of the masters of steam vessels being able to pursue a direct course with their vessels, rather than a circuitous course, as is the case with sailing ships which have to beat up Channel?—Quite so; it is much easier to navigate a steamer where they have the motive power entirely under their control.

825. You were asked by the Honourable Member for Rye if it were not possible that many ships may be insured to such an extent as to make it beneficial to the owners to have them cast away; is it not the fact that in pilotage grounds ships are rarely in danger of being wrecked, and that for an owner to meet with an accident or for any damage to accrue to his ship would be much more detrimental to him than otherwise, more especially with an outward bound ship; so much so that if an accident should happen to a vessel outward bound, the owner in all probability would lose all the prospects of profit during the entire voyage, even when that voyage might be a voyage of 12 months?—No doubt the interest of the shipowner is to make a good voyage even though he is heavily insured; and in reference to that question I am glad to have an opportunity of saying that the true answer about insurance is in the first place that the law attaches as a condition to the contract of insurance that under certain circumstances a pilot shall be taken; and if the insurer thinks it necessary that a pilot should be taken he can always make it a special condition in his contract, and I have heard that he does so in some cases.

826. I suppose you are aware that the underwriters have all their own surveyors, not only in London, but in Liverpool, in France, and in America; that they are exceedingly strict with the surveys of the ships, and that they exercise a very large amount of vigilance, in order to ascertain that they are not insuring bad property?—I think that the underwriters are perfectly able to protect themselves. On mentioning to Mr. Justice Willes some proposition for protecting the underwriters, he replied, "You might as well get umbrellas for albatrosses; they are perfectly able to take care of themselves."

827. Do you know anything of the River Tyne?—I have been in it.

828. Perhaps you are not able to speak as to the difficulty of the navigation of that river, as

Mr. *T. H. Farrer.*

1 April 1870.

compared with the Mersey?—I would rather not, as my opinion is of no value upon that point.

829. You were asked by the Honourable Member for South-west Lancashire some questions in reference to the boat system which exists upon the Mersey. I suppose it is not, in your opinion, desirable that, upon the abolition of the boat system, the Government should make any compensation to the owners of the boats if that system should be abolished, but rather that the present protective co-ownership should be abolished?—Yes; but there would arise the question in what way that should be done. Those men have invested their money upon the faith of an Act of Parliament, and if that property is to be taken away, they certainly ought to be compensated in some way. So far as concerns the operation of the system on the pilotage of the port, it is quite clear that if they are to be compensated, Liverpool ought to compensate them, and not the public exchequer. On the other hand, if those boats are injured by the effect of this Bill (which we do not expect will be the case), there may be claims on the part of those boat owners upon the public exchequer to that extent.

830. Mr. *Cave.*] You would say, would you not, that the chief object of the Bill is to get rid of the various anomalies in reference to the liabilities of shipowners?—That is one object, but not the whole object.

831. Is it the chief object?—I should be sorry to say that it was even the chief object; these anomalies have undoubtedly brought the whole subject to notice more than anything else.

832. You would say that it is a material object, would you not?—It is a material object.

833. I think you stated that there would be great difficulties in doing that directly?—I think there would be great difficulties in doing that directly.

834. Are you aware that in New York, for instance, the general law with respect to pilotage (without reference at present to the system of liability) is very much the same as it is now in England?—The law in New York, if I remember rightly, is that the ship must either take a pilot or pay the pilotage.

835. Or the master must be qualified?—I am not aware as to that.

836. With regard to a vessel that approaches the harbour of New York, unless it has a qualified master it must take a licensed pilot, must it not?—Yes, or pay pilotage.

837. And yet in America the law with regard to the liability of the master is very different from ours, is it not?—It is; I read the judgment in the case of the "China," in the Supreme Court of the United States.

838. Practically I believe the master is liable for damage, and not the pilot?—The pilot would probably be liable also, but the ship is liable.

839. So that there they have got rid of that difficulty without getting rid of compulsory pilotage, have they not?—Yes; they have never introduced the exemption from liability; it never seems to have prevailed in America.

840. Does not the compulsion to take one out of a few pilots differ only in degree from the compulsion to take the first that offers?—I am not quite sure that I understand the question.

841. Compulsory pilotage, of course, consists in being obliged to take a pilot?—A pilot; whether he be the first that offers or one of a number.

842. It is proposed by the Bill to oblige a man, if he takes a pilot at all, to take one out of a number, is it not?—Yes.

843. Does not that vary only in degree from the other principle?—No, I think it varies in more than degree; I think it is a very different thing to say to a man, "You must employ a servant of a particular description," and to say to him, "If you employ a servant of that description you must employ him from among a particular class."

844. Still, if a foreign vessel that comes in is absolutely obliged to take a pilot, you oblige him to take one out of a certain number, do you not?—Circumstances compel him to take one out of a certain number; even if you had not a system of licensing at all, there would be only a certain number of persons offering themselves.

845. In the Bill, of course, we know that there is no direct statement that the liability of the shipowner shall be altered; it has been suggested that there is sufficient compulsion left to make the law still operative in reference to the non-liability of the ship as to damage; is that so?—I should think, looking to the current of recent decisions, that that would not be the case; but if that were the case, or if there were any doubt about it, it would be well to clear it up. On consideration, I think I can answer that question quite positively. I remember that it, by reference to cases, has been decided, that where a ship is in charge of pilot in a compulsory district, there, unless at the time and under the circumstances the ship is liable to compulsory pilotage the shipowner is liable for damage done; in that case he is obliged to employ one of a certain licensed number.

846. But has not a similar claim for exemption from liability been set up by shipowners on account of compulsion to take certificated masters and mates?—The claim has been suggested in a vague sort of way in deputations to the Board of Trade, but I do not think they have ever ventured to set it up in a court of law.

847. Has it never been set up in Parliament?—I will not say that it has not been set up in Parliament, but it has certainly not prevailed there.

848. Do you not think that it would be more reasonable to consider the pilot rather as a guide to point out currents and shoals than as the provisional master of the ship?—Certainly; that was the whole purport of my evidence, that from all that one could gather from the best shipowners and from the practice of the Admiralty and of the Trinity House, that is the proper position of the pilot.

849. In such a case the running down of a barge in the Thames, for instance, would be the fault of the master, would it not, and not of the pilot?—Certainly.

850. *Per contra* is it not said that the barges are great offenders by getting across the river, and that they are an anachronism?—The pilots tell us so, and the shipowners tell us so.

851. If they could come upon the master for damage, would they not be more reckless than they are now when they can come upon the pilot?—That is the argument of the pilots.

852. But you think, on the whole, that it would be impossible to abolish the exemption of shipowners, and to leave pilotage as now, to be voluntary

voluntary or compulsory as may seem best to the local authorities?—I think it would be practically impossible; I think you would find that such a proposal as was contained in our Bill of last year, the proposal to adopt the New York law, would meet with almost universal resistance from the shipowning interest.

853. In the case of the "Spindrift," which has been mentioned, the passive attitude of the master has been accounted for by this idea of the general liability of the pilot; but in that case the ship was uninsured, was it not?—I think so.

854. And therefore of course the master had the greatest possible object in keeping the ship safe?—Certainly; I did not quote that case, as I mentioned to the Committee before in the least for the purpose of throwing any reflection upon the owner who seems to have done everything he could; I mention that merely as an illustration of the habit and practice likely to prevail where there is a law of that kind; I do not think that that motive would have been applicable in that particular case, so far as regards the owner.

855. Was not the case of the "Earl of Auckland" mentioned, in which Dr. Lushington gave judgment?—It was.

856. Did he make any recommendation upon that case;—No, he merely called the attention of the Board of Trade to the extreme confusion of the law.

857. Is it found that masters and mates who have passed examinations, are usually capable of piloting their vessels?—I have no personal knowledge of it, beyond the fact that they do pilot them, and that we do not hear of losses in consequence of their want of pilotage knowledge.

858. But the system is very partial, is it not?—It is very partial.

859. They, for instance, would not attempt to take charge of a vessel above Gravesend, I suppose?—I think they almost universally take a waterman or a pilot of some kind.

860. After this Bill passes they would cease to require qualification for pilotage, would they not?—There would be no necessity for them to pass that examination; of course it would be possible for the Board of Trade in granting them their certificates, upon their ordinary examination in seamanship, to require some more special local knowledge, if it were thought desirable.

861. You stated generally, I think, your opinion that pilots would be as much employed as at present?—So far as one can judge from experience, and from the opinions of those best qualified to judge, that would be so.

862. If so, there would be no hardship, would there, to owners of vessels, who would then have to do voluntarily what they now do compulsorily?—I think there is all the difference in the world between doing a thing voluntarily and doing it compulsorily; the relation is very much healthier between employers and employed where each is free, than where one is obliged to employ the other.

863. But the compulsion is for their own good, is it not?—It is so assumed; but they are the best judges of their own good.

864. If certain vessels would then cease to employ pilots, either the pilotage fee must be increased, must it not, or the pilots would suffer?—Or the number of the pilots must be diminished.

865. Taking the case of the Bristol Channel, which seems to have been relied upon in Mr. Gray's Paper, he mentions, as an argument in favour of the doctrine, that the pilots would themselves be benefited by the change; that the pilotage has increased, I think, from 41,000*l.* to 47,000*l.*, in the years from 1861 to 1868; but has not the trade of the ports in that Channel increased in a far greater ratio in the same time?—I have not the returns of the trade, but I have no doubt that it is so; the increase of Cardiff is enormous.

866. And Newport too, and other ports; so that would you say that the reasoning in this paper is absolutely to be relied upon for the conclusion which is drawn from it?—I think this paper shows that pilots would be very largely employed; and it also shows that both pilots and shipowners are better satisfied under the voluntary system, than under the compulsory system; I think it is impossible for anyone to say whether the number of pilots in a particular place will be exactly the same, or whether it will be greater, or whether it will be fewer; but this paper shows at any rate that it is not likely to decrease in any very large ratio.

867. *Chairman.*] It also shows, does it not, that the pilots may, under the voluntary system, have very high rates of income?—Certainly, that it shows most distinctly.

868. Mr. *Cave.*] But it does not show that under the compulsory system you might not have had a very much larger employment of pilots, does it?—You might have had a larger employment of pilots, who would not have been wanted.

869. Would it not appear from the figures that you would have had, when you consider that the increase in the earnings of the pilots has not been in proportion to the increase in the general trade?—I should think that if you had the compulsory pilotage there, a great many vessels would have employed pilots between Lundy and the Holms where they did not want them, which, under the voluntary system, did not employ pilots there; and so the sum spent in pilotage would have been larger, and unnecessarily larger.

870. It is alleged, I think, that the pilots now go further west than they did under the compulsory system, is that so?—The people of the ports tell me that they find an ample supply of pilots west of Lundy.

871. If evidence is brought to prove that that is not so, that would be a diminution of the argument in favour of voluntary pilotage, would it not?—I do not think that it would, because that would be perfectly consistent with the fact that the ships did not want pilots so far westwards. All that it is necessary to prove is that the ship which wants a pilot finds him in the place where she wants him.

872. I think you have already stated that the instance of Bristol is not very conclusive, because the pilots have been ranged under different heads?—Quite so; the Bristol pilots had a monopoly of the Channel pilotage, and they have not it now.

873. To proceed with the argument for Government inspection of boilers, and so on, what is the argument in favour of such Government inspection?—I should be very loth to have to undertake the defence of it, because a great deal of it seems to me to do less good and more harm than people are aware of; but the argument

Mr. *T. H. Farrer.*

1 April 1870.

that people use is that it is desirable that Government should interfere for the protection of life and property.

874. And that the desire of economy, and the desire of profit, makes the shipowner run the risk of the liability under Lord Campbell's Act; and that therefore something more than that liability is necessary for the preservation of life?—That, no doubt, is the argument; but when you say that something more is necessary than the liability under Lord Campbell's Act, what people do not bear in mind is that it is not something in addition to the liability, but that it is something which is substituted for the liability under Lord Campbell's Act; because when a Government inspector has said that a thing is all right, it is perfectly impossible for anybody to recover under Lord Campbell's Act.

875. It is said, is it not, that in fact inspection is the greater safeguard of the two?—That is what people say; but I should be sorry to agree with them, and it is not my opinion.

876. The same desire for economy and for profit would be likely to induce masters to run the risk of running into harbour without a pilot, would it not, under the voluntary system?—No doubt; if a man saves a little money by not employing a pilot, that is one motive for not employing him.

877. Is it not the case, that in spite of the underwriters being able to take care of themselves, yet that competition induces insurers to overlook that occasionally?—It is very difficult to say what the insurers do; all that I say is, that they can, and, as I have been told, do, in certain instances, protect themselves by special conditions.

878. But, practically, is not competition so sharp between shipowners, and particularly small ones, that they do run almost any risk to save a 5*l.*-note?—No doubt; and those small shipowners complain in the bitterest way of compulsory pilotage as taking away all their profits. There is a letter that I should like to hand in, which I received upon the subject of the Runcorn pilotage (it is exceedingly badly spelt), from a shipowner of Cornwall, who carries slates to Liverpool, and he gives a number of facts to show, that the compulsory pilotage at Liverpool just swallows up the whole earnings of the vessel.

879. If that is so, it is quite clear, is it not, that he would not take a pilot under the voluntary system?—He considers himself perfectly competent to get into the port of Liverpool without it; but if he thought there was any chance of his losing his vessel he would take a pilot, because that would be a much greater loss than the loss of his freight.

880. At the same time one does know that a great risk is sometimes run to save money; people are sufficiently blind to their own interests for that, are they not?—No doubt that is so.

881. Sir *John Hay.*] May I ask if that illiterate individual still continues his unprofitable trade?—That is more than I can tell. I will put in his letter, but I know nothing about him. (*The same was delivered in,* vide *Appendix* (A), No. 23.)

882. Mr. *Graves.*] Does he include light dues?—He does not like any of the dues, but pilotage is his particular point.

883. Mr. *Cave.*] When we talk of insurance inducing people to run great risks, is it not the fact that in some countries that is so much felt, that a law prevents vessels from being insured at more than a certain proportion of their value?—That is the case.

884. Supposing that we admitted the general advisability of doing away with compulsory pilotage, would you be inclined to allow that there may be some exceptions with regard to localities or not?—I do not think I can consistently admit that.

885. The case of Swansea has been mentioned to me, which is a tidal harbour into which vessels can come only during three hours at each tide, and they must run in during the greater part of the year at night; and unless they can come in and be marshalled in their proper places, great risk will be run, not only to the vessels themselves, but to vessels already in the harbour; in such a case as that, do you think that the marshalling of those vessels might be safely left to the voluntary system?—I think that the question of arranging vessels in a harbour is a different question; and that it would be quite necessary to have some absolute police in a crowded harbour, and to give the harbour master some strong powers.

886. That is no doubt the case with regard to a harbour like Cardiff, where vessels go in through locks; but if you have a tidal harbour where the vessels run in at once, would not the extension of that harbour master's authority be necessary outside the port, to prevent accidents?—I should doubt it; but I am scarcely sufficiently acquainted with the circumstances to give an absolute opinion upon that point.

887. Another point which has been urged in favour of voluntary pilotage is that it would be more of a stimulus to pilots to do their work. That you would admit, I think, might also take place under a compulsory system if the authorities regulated the pilots accordingly; that is to say, promoted them according to their zeal, and according to their readiness, and paid them accordingly?—Of course it is possible that things might be so arranged, but on the whole I would rather trust to the stimulus arising from the voluntary action in search of profit. And I think such a stimulus would be likely to be more effectual than the stimulus of obedience to any authority.

888. Is there any alteration made in the Merchant Shipping Bill as to the limit of the liability of pilots for damage?—Yes, there is an alteration, but I believe the effect of the clause is somewhat doubtful. The Trinity House made some suggestion as to the mode of enforcing the 100*l.* liability, but they did not make any suggestion as to increasing the liability of the pilot beyond; on the contrary, they objected to it.

889. *Chairman.*] Was that alteration made in the Bill last year?—I have not been able to refer, and I am not able to say whether it was so or not.

890. Sir *Charles Wingfield.*] You stated, did you not, in reply to the honourable Member for Sunderland, that the existence of this large body of free watermen, somewhere about 400 in number, is in itself proof that the Trinity House has not licensed a sufficient number of men for the pilotage of that part of the river from Gravesend to London?—I think it proves that a sufficient number of men are not licensed; supposing it to be desirable that men should be licensed.

891. But it is in itself evidence that a sufficient

cient number have not been licensed, is it not?—Supposing that it is necessary to license men at all it is clearly proof of that

892. And therefore may not those free public pilots be considered as much the growth of the system that has been in force as the licensed pilots are?—They are certainly the growth of the circumstances; that is to say they have come into existence, I suppose, owing to the wants of the trade.

893. Do you know the reason why the Trinity House has not licensed a larger number of pilots for the river above Gravesend; I ask this question because the reason that is generally given, namely, that the present number only get a fair living, does not appear to me to be a sufficient answer to the question, because the pilotage fees being fixed, and there being employed several hundred watermen as pilots, and the 72 licensed pilots being able to take any ship they please from the free watermen, their earnings, it seems to me, must depend upon the degree of activity they display, and cannot be increased by the number being limited?—I should think probably the reason of the action of the Trinity House in the matter is historical; that is to say, there have been a certain number of pilots employed for those ships which are subject to compulsory pilotage, and those pilots are licensed by the Trinity House. There is a sort of arrangement between the watermen and the licensed pilots; the licensed pilots take the ships which are subject to compulsory pilotage, and the watermen take the ships which are not subject to compulsory pilotage.

894. That is because the licensed pilots cannot take all the ships, is it not?—It would be impossible for them to do it.

895. And they leave what they do not care to take to the watermen?—Yes; they leave the other ships to the watermen.

896. Do you not think that this fact goes to prove that under a perfectly free system the pilots would have stronger motives for exertion than under a system of privilege?—I think that certainly, so far as it goes, it is in favour of freedom in such waters as these.

897. Do you think it is probable that if the Trinity House were left to their own discretion, they will increase the number of licensed pilots, when you consider that the second clause of the Bill is likely to have a deterrent effect?—They will not increase the number of licensed pilots pending the operation of that clause, I should think.

898. And yet it is clear, is it not, that the number of licensed pilots is insufficient, if there is any object in licensing at all?—If there is any object in licensing at all, the number is insufficient for the river above Gravesend.

899. My remarks are confined to the river above Gravesend; but may we not also assume that the failure of the Trinity House to license an adequate number of pilots may be regarded as an admission that the free waterman is just as efficient as the licensed pilot, and that the Trinity House licenses are not necessary to secure efficiency?—It certainly appears as if in the river above Gravesend the large number of unlicensed persons who have had a great amount of experience and practice, are as capable of doing the work as those who are licensed by the Trinity House.

900. Do you not think that the argument in favour of licensing the number of pilots and fixing their remuneration, which is based upon the assumption that it is necessary to secure to the men certain employment and liberal remuneration in order to induce them to undertake the hardships and perils of cruising off the coast in all weathers, whatever force that argument may have in certain ports, certainly fails of application to the Thames above Gravesend, as, in fact, pilotage there neither involves exposure nor risk, and as, in fact, the pilot need scarcely be a night out of bed?—It involves a certain amount of local knowledge and the management of a ship.

901. That argument, founded upon the perils of a pilot's life, does not apply to that part of the Thames, does it?—Certainly not.

902. Therefore, can you not say that the circumstances of the pilotage of the Thames from Gravesend to London differ entirely from those of sea pilotage?—The services are of a very different class.

903. You have stated that the free watermen charge far less than the licensed pilots; I understand that their maximum charge for any ship is 2 *l.*, whereas, by a return which you gave me, it appears that the charge for a licensed pilot for the same distance varies, according to the draught of water, from 1 *l.* 4 *s.* to 12 *l.*?—That is so. The charges of the watermen, I am informed, vary from 1 *l.* 5 *s.* to 2 *l.*; the charges of the pilots, for vessels drawing seven feet of water, is 1 *l.* 4 *s.*; and, for vessels drawing 23 feet, 12 *l.*; but there is a deduction of one-fourth in the case of vessels moved by steam.

904. Is it fair upon owners to make them pay more for the pilotage of their vessels than they can get the work done for by competent men?—Clearly not. I think that is a case in which the demand and supply would very soon fix the price at its true amount.

905. Do you think that those free watermen who have served a long apprenticeship on the river are as well or better acquainted with the channel of the river as those licensed pilots who have not been free watermen, who are often preferred to them by shipowners, so much so that some owners of vessels, now liable to compulsory pilotage, take a free waterman from London to Gravesend?—It is undoubtedly the fact that a very large number of shipowners do make use of free watermen, and also that on the whole the watermen do the work efficiently.

906. Is it reasonable to tell the owner to turn out one of those competent watermen, and to give his ship over to a licensed pilot in whom he has not such confidence?—I do not think it is; at the same time you must have regard to the existence of the vested interests of the licensed pilots.

907. You said just now, in answer to the question of an honourable Member that you did not think there is any oppression in a shipowner being obliged to employ a licensed pilot in preference to an unlicensed pilot if he employs a pilot at all, and that this is practically no limitation on the power of selection, and you illustrate that by saying that a person cannot employ anybody he likes as his doctor, or attorney, or counsel; that attornies and medical men and counsel must get diplomas or certificates, or permission to practice; that is no doubt true, but the State does not limit the number of counsel or attornies, or doctors, whereas you do limit the

Mr. *T. H. Farrer.*
1 April 1870.

number of pilots; does not this difference destroy the analogy?—I think that it does destroy the analogy in such a case as that of the pilotage above Gravesend, where there is obviously a very insufficient number of licensed pilots.

908. Then does it not seem to follow as a logical conclusion, and as a matter of justice to the owner that if the privilege of the licensed pilot to supersede the unlicensed pilot be maintained the Trinity House should be required to license as many persons to act as pilots from London to Gravesend as can prove their competency?—Yes, or as many as are necessary to do the work; I am inclined to think that in that particular case they might fairly license all that are competent; but it is to be observed that those free watermen are again themselves a limited class. They belong to a body which has certain privileges under their own Act of Parliament; and they are fighting very hard in another room at this very time for those privileges, and for the exclusion of unprivileged persons, not in respect of pilotage, but in respect of the navigation of barges.

909. But I understand that there is, practically, no limit to their number, but that the Watermen's Hall will license any man who serves his apprenticeship?—Yes, but he must have served a five years' apprenticeship, and that is in itself a very considerable limitation of numbers.

910. You are aware that the qualifications and conditions prescribed by the Trinity House for obtaining licenes between London and Gravesend, which require service at sea for three years as mates or as master, are an absolute bar to free watermen being licensed, as very few of them have been to sea, and the most efficient are above 25 years of age; and I think you said, in answer to the honourable Member for Sunderland, that you did not think that a knowledge of sea navigation was at all a necessary qualification for a river pilot. Is not a knowledge of the Channel all that is requisite?—Certainly. In the case of vessels moved by steam it would seem unnecessary for a pilot above Gravesend to have knowledge of the mode of manœuvring a sailing ship.

911. I do not know whether you are aware that there are 100 candidates on the list of the Trinity House for licenses as pilots for the river above Gravesend; if it is decided that the Trinity House should increase the number of licensed pilots, and if the free watermen are postponed to those men a long time would elapse before their turn to be licensed can come. Do you not think that, considering the long employment of those free watermen as pilots and the long apprenticeship they have served, they have prior claims to be treated as candidates?—I do not know what is the position of the candidates at all; but it would be a very great pity if, in largely increasing the number of pilots, persons were imported from a distance to be licensed as pilots when there are other men upon the spot who have long done that duty, supposing them to be of equal competency.

912. Is not the Order in Council of 1854, by which twenty-four men were licensed to act as pilots for home trade passenger ships, a precedent for relaxing the conditions which I have described?—That order, I think, was passed with reference to the obligation which was introduced by the Merchant Shipping Act on home-trade passenger ships to carry a licensed pilot, and I think that those men were licensed in order that the home-trade passenger ships who had been already employing those men should be able to continue to employ them.

913. May it not be held with some reason that the term "unlicensed pilots" is not strictly applicable to those free watermen; may not the licenses which they hold from the Watermen's Hall, which describe them as licensed, to work as wate rmenin the navigation of rowboats, sailing boats, steamboats, and other vessels from Teddington to the Lower Hook (that is close to Gravesend), be considered as good a guarantee as a Trinity House license for pilotage in this part of the river?—I am not acquainted with the laws and customs of the Watermen's Hall, but I have already said that those free watermen are themselves a privileged body against outsiders. They have their own licenses, and their own privileges against the bargemen and lightermen, who have not passed an apprenticeship upon the Thames.

914. You showed me a return, giving the average and highest earnings of the different classes of licensed pilots, and a statement of the earnings of the free watermen was given to me by one of their number, and I think it showed the aggregate earnings to be 26,000 *l.*, while one of them earned as much as 900 *l.*, and another 500 *l.*?—The highest earns 900 *l.*, and the average earning is 62 *l.*, and one earns 500 *l.*

915. And some earn 200 *l.*?—Some earn 200 *l.*

916. But does not this statement, supposing it to be correct, go to prove that assuming perfect free trade in pilotage to be established between London and Gravesend, the supply of pilots would be ample and efficient, inasmuch as this large body of men who have earned so much money have been almost entirely employed in ships not subject to compulsory pilotage?—I am inclined to think that under the peculiar circumstances of the river between Gravesend and London, that would be so.

917. Do you not think that one of these two courses must be followed in respect to the pilotage of the Thames from London to Gravesend; either that all the men should receive licenses who prove their competency, or else that the licenses of Watermen's Hall should be sufficient to entitle them to act as pilots for that part of the river?—I think that there ought to be one single authority, and one description of license or qualification for all the men engaged in the same employment; and I think that the present system is not sufficient for all the number who can find adequate employment, and who are wanted on the river.

918. But we are met by the difficulty that under clause 2 of the Bill the Trinity House are almost debarred from giving any more licenses?—I freely admit that that is a difficulty.

919. Do you consider that that clause absolutely debars them?—The question is, whether if this Bill were passed the present licensed pilots would be deprived of a portion of their earnings or not. If they continued to earn as much as they did before, and if there was continued or larger employment for pilots, the fact that the Trinity House increased their number would not signify, as there would be no case for compensation.

920. But then they are liable under the present system to harassment, and then there is recrimination

recrimination between the parties, is there not?—Yes.

921. And if their position were recognised all this ill-feeling and retaliation would cease, would it not?—I think it would be a great improvement; but there would be this difficulty about the licensed pilots, that they now get much larger sums than the unlicensed pilots, and you would have to equalise their earnings in some way or other. I think that if you did it by raising the earnings of the free watermen the shipowner would complain.

922. But I believe that the free watermen would be perfectly ready to continue at their present scale of charges, if they could be received as licensed and freed from the liability of supercession?—If the free watermen would be content with that, and if they also offered to leave to the existing licensed body their present privileges (that is to say, the class of ships which they now pilot at the present pilotage rates), it seems to me that things would go on quite smoothly.

923. You see some basis for the settlement of the conflicting claims of the parties upon that ground?—Upon that basis.

924. And that you think would do away with the privilege now possessed by the licensed pilots to supersede the free watermen?—Yes, but it is a privilege which I understand is not really exercised except in the case of vessels which are subject to compulsory pilotage. There is a sort of arrangement between them that the licensed pilot shall take the vessels which are subject to compulsory pilotage and that the free watermen shall take the rest.

925. As far as I know and have inquired, that privilege is occasionally exercised; that is to say, if a free waterman made himself obnoxious to the licensed pilots they would chase him off ships; and I believe that some of the leading free watermen are very much afraid that that course will be followed now, in consequence of the line which they have taken about this Bill?—Of course, if the free watermen were at once admitted to all the privileges of the licensed pilots and would take the position which the licensed pilots now take at very much lower rates, the present licensed pilots would suffer very much.

926. In that way it might be fair to confine them to the class of vessels which they take now; but are you aware that the free watermen do not ask to be admitted without license, but that they only ask to be allowed to pass an examination and receive licenses?—No; but the effect of at once licensing them and allowing them to take their present earnings would be to admit to competition with the present licensed pilots a very large additional body of men who would do the duty at a smaller rate than the licensed pilots have hitherto received.

927. But does not that show that the pilotage fees might require revision?—It certainly shows that the present system requires alteration, and at the same time you ought to do that with the greatest possible consideration to existing interests.

928. But if the licensed watermen can earn such large sums of money at such low rates, is it not quite clear that the licensed men could earn a very good living at rates rather lower than the present rates?—One would think so; and it must be said as against the existing licensed pilots, that there is nothing to prevent the Trinity House to-morrow from reducing their rates.

929. *Chairman.*] Or in fact doing away with them altogether by degrees, by refusing to increase their number?—Yes; but if you regard strict legal vested interests, there is nothing to prevent the Trinity House from reducing the whole of their pilotage rates to-morrow.

930. Sir *Charles Wingfield.*] In point of fact, it would be absurd, would it not, to keep up the present distinction and limitation of numbers, and always to continue hereafter to license a certain limited number of pilots, when it is notorious that five times that number is required for the work of the river?—It is quite obvious that the system is wrong altogether.

931. I think you stated that the 50 pilots now licensed between Gravesend and the sea have applied to have their licenses extended to London; do you know if such of those men as are not free watermen ever passed an examination as to their knowledge of this part of the river?—I am unable to speak to that.

932. The free watermen, of course, do know that part of the river, but would it be fair to the mass of the free watermen to allow those men to act as pilots for a part of the river with which they are not acquainted, to the exclusion of men who know it thoroughly?—I think it would be wrong to grant licenses to men to do that which they are not competent to do; but if those men have been in the habit of taking ships from London to Gravesend, I do not see why they should not be licensed for it. If the men from Gravesend to the sea have been in the habit of taking ships from London to Gravesend, and know that part of the river, I see no reason why their licenses should not extend to that part of the river.

933. I think you stated that the abolition of compulsory pilotage, and of the exemption from liability now enjoyed by the owners of vessels subject to compulsory pilotage, would lead to the owners requiring the masters and mates to pilot their vessels?—It might do so, or it might not do so. They would do whichever was clearly best for the vessel, under the circumstances.

934. Do you think that this would lead to a falling off in the employment of the licensed sea pilots, that is to say, pilots up to Gravesend?—I should be inclined to think not, but it would depend upon whether the pilots were really wanted or not; I believe they are really wanted.

935. But anyhow the owners would never be able to dispense with the service of pilots between Gravesend and London, would they?—I think that experience shows that they never would.

936. You said, in answer to the question of an honourable Member, that pilotage rates might be fixed, because it would be impossible to leave the master and pilot to make a bargain; but this is what the waterman do, is it not?—I was speaking then of the sea pilotage, where a ship comes in from the sea and meets a pilot, which is quite a different case; but it is quite a question of convenience; it is possible that it might be more convenient that the rates should be fixed between London and Gravesend, as they are in the case of cabs.

937. You have mentioned instances of hardship inflicted upon the owners of vessels, by being apprehended in distant ports and taken to Gravesend, on the charge of having refused the services of licensed pilots; have your heard of quite a recent case, of the master of an Italian vessel who was served with a warrant at Cardiff, and though he had paid double pilotage and costs

Mr. *T. H. Farrer.*
1 April 1870.

at Cardiff, was obliged to pay 4*l.* 16*s.* costs to Gravesend, besides the expenses of his journey?—I have heard that there is such a case; I have not heard the particulars of it. I have said before that it is only accidentally that the Board of Trade hear of such cases.

938. Are you aware that it was said from the Bench that this master, being an Italian, had been deceived?—I have not heard the particulars of the case, and I am unable to speak to the particulars of that case.

939. That is a very extreme case, is it not?—That is a very extreme case.

940. Would this hardship continue to be inflicted, that is to say, if the penalty of 50*l.*, to which the owner is liable who employs an unlicensed pilot after a licensed pilot has offered his services, is made recoverable in a summary way, as I see it is by the Merchant Shipping Act?—Yes, I think that is so; and I think it will require consideration whether he should have so severe a remedy; at the same time, of course, it is a very different thing to impose a secure penalty for the infraction of a law which is admitted to be just (assuming that law to be just), from imposing that same penalty for the infraction of a law which people feel to be unjust.

941. The Bill which was introduced last Session, in the month of August, abolished compulsory employment but retained compulsory payment, did it not?—It did.

942. The "Spindrift" was not lost until October or November, was it?—I think later.

943. A report has been circulated on the river (and I believe is credited by those who do not like the present Bill) that the loss of the "Spindrift" is the sole cause of its being introduced, but this of course is an entire delusion?—I think if you attach any value to the evidence which I have given, you will see that this question has been dealt with by the Board of Trade and the Government, quite independently of the question of the "Spindrift."

944. I merely put the question because the report has been circulated, and people who are interested in circulating the report, or who are of a disposition to believe it, would probably not look at evidence?—Since I have been at the Board of Trade this question of compulsory pilotage has been perpetually agitated.

945. Mr. *P. W. Martin.*] My constituents have been at it for 10 years at least, have they not?—At least 10 years.

946. Sir *Charles Wingfield.*] Then do you think that the question of the pilotage rates from Gravesend to London may be treated as a special case?—I think it may, so far as the limitation of the number of pilots, and the mode of licensing them, is concerned; at the same time it can be dealt with by the Trinity House under their present powers, and it need not lead to further legislation.

947. But the Trinity House have not apparently as yet seen the necessity of altering the arrangements with regard to licensing, and, unfortunately, as you yourself admit, the second clause of the Bill almost debars them from making any change now?—I do not think that it does do that if their present occupation and present rights are reserved to the existing licensed pilots.

948. Mr. *J. S. Hardy.*] In answer to the honourable Member for Sunderland, you said that the true answer to a question which I put to you the other day was, that in fact in cases of heavy insurance, of insurance without a clause put into the note of insurance that pilots should be employed in pilotage waters?—I said that they could do so in all cases, and that I had heard that they did do in some cases.

949. Do you not think that that is, in fact, a compulsory pilotage by some other person than the Government?—It is a matter of perfect freedom to the shipowner whether he chooses to insure his ship or not, and it is a matter of freedom to the insurer whether he chooses to insure the ship or not, and the two can agree between themselves as to the price at which and the conditions upon which the ship shall be insured.

950. Do you not think that that goes to prove that a person having an interest in a ship apart from the interest of the owner of a ship feels that it is, in fact, a necessary precaution to employ a pilot for the defence of his interest in the ship?—In any case where an insurer insists on that condition, it undoubtedly shows that he does think it necessary that a pilot should be employed, and in that case he insists upon that condition.

951. You stated, did you not, that that was a common case?—I said that I could mention cases in which I had heard that it was done; I have been told that there are a very large number of cases of ships bound from the north channel into the Thames in which it is done.

952. In point of fact, is not the result of that that the public, having an interest in the license entirely apart from the interest of the owner of the ship, have a right to insist upon the employment of pilots?—I said distinctly that the Government, and Parliament, and the public have an absolute right to do whatever they please, and whatever they think necessary for safety, but that is not the question. The question is in what way that safety will be best secured. Will it be secured better by the Government putting a person on board the ship to look after it, or by leaving the person owning the ship liable.

953. But do not the underwriters seem to think it better that a pilot should be employed?—Yes; in those particular cases.

954. *Chairman.*] The underwriters themselves have expressed an opinion in favour of this Bill, have they not?—The underwriters of Lloyd's have expressed decided opinions in favour of the Bill.

955. Mr. *Norwood.*] Have you ever seen a policy of insurance at Lloyd's upon a ship?—Yes, I believe I have; and I have read them in law books.

956. But have you ever seen an actual *bonâ fide* policy?—I am not quite sure whether I have or not; but I think I have.

957. I understood you to state that you believed that it was a custom at Lloyd's (which is the great underwriting authority) to put into a policy upon a ship a clause requiring the employment of a pilot?—I did not say so; what I said was, that if the underwriter thought it necessary for his interests, it was perfectly competent for him, so far as the law goes, to insist upon that condition.

958. I understood the honourable Member for Rye to make it a point, that whereas from your admission the underwriters at Lloyd's required the employment of a pilot, therefore they considered it necessary that compulsion should be used, either by themselves or by Parliament?—If the honourable Member for Rye raised that implication from my words, he raised an

an implication which I myself had certainly no intention of raising. I said that the underwriter can insist upon the condition if he wishes to do so; and in order to show that he can do so, I stated that there were cases in which I was told that it was done.

959. You know that, not from having perused the document itself, but from law reports?—From what I am told is the practice.

960. Should you be surprised, if you were to hear that such a thing does not happen once in 1,000 times?—I am told that in policies of insurance on foreign ships from the north of Europe into the Thames, they are in the habit of inserting a condition that the vessel shall employ a pilot; in Hamburg, for instance.

961. But is not that a very small proportion, and a very special case?—Very possibly; I only say that it can be done if the underwriter wishes it.

962. But the evidence elicited by the honourable Member for Rye went very much further than that; his argument, as I understood, was this: that it was a frequent habit for underwriters in their policies to put in a clause, which was part of the contract between the underwriters and the shipowners that they should employ pilots?—I never said, or meant to say, anything of the kind.

963. That was the reason which induced me to ask you if you ever saw a policy with such a clause; you tell me that you do not recollect whether you have ever seen one, and therefore you will admit, will you not, that you are scarcely an authority upon the usages at Lloyd's upon that subject?—I do not pretend to be an authority upon the usage at Lloyd's.

964. Mr. *Graves.*] You have in the Board of Trade an officer called a nautical adviser, I believe?—Yes.

965. I believe that his duties are very much connected with the questions of light dues and surveying harbours, and also with the question of pilotage?—He advises upon nautical points, arising out of the duties of the Board of Trade with respect to these matters.

966. Have you consulted him with reference to the principle of this Bill?—It is not for me but for the Board to consult him.

967. But as a matter of fact have you consulted him as the nautical adviser of the Board of Trade?—I think that it is rather a question for the political head of the Board of Trade than for me; the nautical adviser is a colleague of mine.

968. But as a matter of fact, for the information of the Committee, can you answer that question?—I would rather that you should get the answer from those who do consult him.

969. I merely ask whether you have consulted the nautical adviser of the Board of Trade upon this question?—It is the business of the head of the department to consult the different officers of the department; it is not my business to consult them.

970. Has the nautical adviser approved of the principle of this Bill?—It is not for me to say.

971. I suppose that we shall have the pleasure of seeing him here probably as a witness?—I suppose so, if the Committee desires it; but that is not for me to answer either. As to the opinion of the former nautical adviser, I would ask you to refer to the opinion of the nautical adviser of the Board of Trade, who appeared before Mr. Lindsay's Committee in 1860. As regards the opinion of the present nautical adviser, I should be very sorry if the inference was drawn, from anything I have said, that he was hostile to the Bill, because I do not think that it is so.

972. *Chairman.*] You have stated, have you not, to an honourable Member of the Committee, that in your private opinion, the measure may eventually have to go somewhat further than it goes at present?—I think that there are certain cases (one of which has just been referred to on the Thames), where it would probably be necessary to increase the numbers of certified or licensed pilots.

973. You had reference solely to the question of licensing a greater or less number of pilots?—Quite so.

974. And that will be within the competence of the pilotage authority of each particular place, will it not?—That will be within the competence of the pilotage authority of each particular place.

975. And you think it will be, on the whole, better to leave it to them, whether to license a limited or an unlimited number?—I think so.

976. You do not think that it would be, on the whole, desirable to legislate on that subject?—I think not, because the practice is different in different ports, and there are a very large number of very competent persons who are entirely opposed to compelling a shipowner to take a pilot, who still think it necessary to keep a restriction upon the number of pilots.

977. At some places, is it your private opinion that it would be better to have an unlimited number of pilots?—I am inclined to think that that would be the case in some places, especially in those cases where there are a great demand for pilots at one time of the year and not at another, and in which men follow other employments at those other times. But really, whether the pilotage authority nominally restrict the number or not, the demand and supply will, as I have said, really determine the number.

978. But you would lay down no general rule as to this point?—I would lay down no general rule.

979. Would you be in favour of a perfectly free system, with reference to an unlicensed corps and an unregulated force?—Certainly not.

980. You think it necessary that there should be a regulated price, and a licensed corps?—I think it necessary that there should be a regulated price, and a licensed corps.

981. And therefore that the licensed pilots should have the right to supersede the unlicensed pilots?—I see no reason why the licensed pilots should not supersede the unlicensed pilots.

982. With regard to the question of insurance, quite apart from what is the condition in a policy of insurance, I think you have also stated that the general law would hold, that a vessel in some cases is not seaworthy, if a master knowing nothing about the particular locality does not employ a pilot?—I believe that under our law, it is a doubtful question under what circumstances the law implies a condition in the policy of insurance, that a pilot shall be employed. It certainly does so in some cases, but it is a question whether it does so in all cases.

983. But, certainly, in some cases it is a general obligation of law, is it not, presuming that the master does not know the locality, that in order to make the vessel sea-worthy the master must take a pilot?—In certain cases.

984. And I think that in some foreign laws it is an universal obligation?—I think that the American law requires the employment of a pilot as a condition of the policy of insurance, in certain cases, where the English law does not.

Mr. *T. H. Farrer.*

1 April 1870.

985. Some question has been raised as to the difficulty of fixing rates under a voluntary system; is it your opinion that there would be any such difficulty?—No, I think that there is considerable difficulty in fixing them under the compulsory system, because you do not know whether the persons who employ the pilots really want them.

986. But under the voluntary system, the pilotage authority is much better able to get at the wishes of the trade, is it not?—Much better; if they put their rates too high, the employment of pilots will fall off. On the other hand, they can raise the rates within the limits within which the shipowner is willing to pay for the service. In that respect I think that a voluntary system is more likely to be beneficial to the pilots where the service is a very important one, than the present system.

987. And under the voluntary system the pilotage authority is much better able to determine the number of pilots required for a trade, than under the compulsory system, is it not?—Much better able; the pilotage authority will not arbitrarily limit the number; it will be really fixed by the supply and demand, and the pilotage authority will only form their opinion upon that.

988. And after this Bill is passed, the pilotage authority will be better able, will it not, to determine what is the real number of pilots required by the trade?—Certainly.

989. Because he will have before him what is the real demand, and will be able to proportion the actual number to that demand?—Yes.

990. Some question has been raised as to the difficulty of compelling pilots to serve, and as to whether vessels are not compelled to take them; do you apprehend that there will be any such difficulty?—I think not; it is rather a nominal than a real compulsion; when a shipowner is not obliged to employ a pilot he will employ him if it is worth his while, and then it becomes really a question far more of supply and demand than of compulsion.

991. You have been asked by some honourable Members, and particularly by the honourable Member for Liverpool, as to the case of the Liverpool pilot boats, and I think that you have intimated to the Committee that that is a case deserving of some consideration?—Yes.

992. I think that you have stated that the number of boats at Liverpool is 12; supposing that after this Bill is passed abolishing compulsory pilotage, it should appear that the same amount of service is not required, and therefore the same number of boats is not required; will you state to the Committee the mode in which that question of the boats might be dealt with?—The result in that case would be to withdraw (say) a single boat, and the number of pilots who belong to that boat.

993. And those pilots are interested in the boat, are they not?—Those pilots may or may not be the pilots owning the boat; so far as that number of pilots is concerned you would withdraw them; you would superannuate them, and you would in compensating them take into consideration anything which they might lose; you might do that perfectly well, either treating them as boatowners or as pilots.

994. Does not a proportion of their receipts go towards the maintenance of the boat?—Yes.

995. And in respect of the boat itself, they themselves receive a portion of those earnings in another capacity, do they not?—Yes.

996. Therefore, in taking into account the superannuation to be given to them under this Bill, the ownership of the boat might be taken into consideration, might it not?—Yes, so far as the owners of that boat; but even if they are not it would be really a small affair; because the only thing which you would have to consider would be that proportion of the earnings of the boat which goes to the owner of the boat, after payment of all the expenses of the boat. If it is true that only 7,000 *l.* went last year to the boat owners, as was stated at a meeting of the Liverpool pilots, and if there are 12 boats, it would be only a question of some 500 *l.* or 600 *l.* a year.

997. Therefore, the interest over and above that of the existing pilots is a very small thing?—It is a very small thing.

998. You also stated, did you not, that the general question of the Liverpool pilot-boats ought to be taken into consideration?—I think so, in the interest of the Liverpool pilotage.

999. But it is not necessarily connected with the Bill, is it?—It is not necessarily connected with this Bill.

1000. And it does not follow that upon the Government should be imposed the responsibility of getting rid of that bad sytem?—No; I think that Liverpool is large enough and wealthy enough to reform its own pilotage system.

1001. Some question has been raised by an honourable Member as to the difficulty which might occur in consequence of the very large number of vessels employing tugs; have you considered that question in regard to pilotage?—One of the largest steam-tug owners in London came to us the other day, and informed us that under no circumstances would the tug-owners undertake the responsibility of piloting the ships. They say that they merely supply the motive power, and they must have the pilot in addition, who shall be responsible for giving them the orders, and for managing the ship.

1002. At present under an ordinary contract between a tug and a ship, the tug simply supplies the motive power?—The tug simply supplies the motive power.

1003. And it is entirely under the control of the master or of the pilot, is it not?—Entirely.

1004. If a tug is to undertake the piloting of a vessel, is not that entirely a different function from that which it now performs?—An entirely separate function.

1005. And is it probable that the tug owner would take upon himself the responsibility which he does not now incur?—He certainly would not do that without being paid something additional for it.

1006. Mr. *W. P. Price.*] I suppose that there is nothing to prevent the owner of a tug-boat passing his examination, and being licensed if he likes, so as to be able to undertake both duties?—I think not.

1007. *Chairman.*] Under the general system now adopted the tug, I think, is under the control of the master, or of the pilot, or some one on board the vessel?—That is so.

1008. I presume, therefore, that if a tug owner were to take out a license for pilotage purposes, and if he put himself on board the vessel, then he would come under the conditions attaching to a pilot?—No doubt.

1009. And then a licensed pilot might supersede him?—Then I should think a licensed pilot might supersede him if he were not licensed himself.

1010. Mr.

1010. Mr. *W. P. Price.*] But could he not be licensed himself so as to be able to undertake both functions?—I do not think that there is anything in the Imperial law to prevent a master of a steam tug from being licensed as a pilot; some of the regulations of some of the pilotage authorities prevent it. I think it is so at Liverpool, if I remember rightly.

1011. *Chairman.*] But I think in the Thames if he takes out such a license that would only give him power to pilot his own vessel?—That would depend upon whether he got a general license as a pilot, or only a license to pilot his own vessel.

1012. I think at law the tug and the vessel are considered as one?—For all purposes of collision, and questions arising against anything which is external to the two vessels themselves, that is so.

1013. Therefore in coming up a crowded river the pilotage of a vessel with a tug is rather more difficulty than the pilot of a single vessel, is it not?—I should think so.

1014. Therefore, in all probability, a vessel being tugged would always be compelled, quite apart from this Bill or from the general law, to take a pilot?—I should think so, and so I understand from those with whom we have communicated.

1015. Have you any further explanation to give to the Committee?—Perhaps I may be allowed to correct the documents which I have put in; I see that they have got in wrong, and I should wish to put in the right documents, and not the wrong ones.

1016. Mr. *P. W. Martin.*] This deputation of mine represented 400,000 tons of shipping, did it not?—The deputation of the barge owners of the Thames, &c.; I think so.

1017. Did they not come before the Board of Trade as owners of what I may call seagoing craft, or vessels under sail, and not of flats drifting up and down the river?—Yes, I think they were vessels under sail; I do not think that they were the lighters that one sees here.

1018. Are you aware that a great many Honourable Members think that they are lighters?—They are small craft.

1019. Mr. *Norwood.*] Are they craft which carry straw and hay?—No; lime, I think.

1020. *Chairman.*] There is one other question with reference to Liverpool; I think, on a previous occasion, you put in a letter from Runcorn, on the subject of the pilotage of Liverpool, from Mr. Steele?—Yes.

1021. And I think that you have since received another letter on the same subject, which you put in to-day?—Yes.

1022. On the whole, the opinion of the shipowners on the Upper Mersey is rather against the compulsory pilotage, is it not?—I am informed by a gentleman who represents largely the interests in the Upper Mersey, in Runcorn, the port of Wigan, Garston, and so on, that they are entirely in favour of this Bill; and he writes to me to-day to ask if I will inform him whether the Committee will hear evidence from those interests in the Upper Mersey in favour of the Bill. That application represents, I believe, the large interests at Runcorn, owners of docks at Garston, who are, I think, the London and North Western Railway Company, and, if I am not mistaken, I think, the Bridgewater Trust, all interested in the Upper Mersey. I will put the letter in.—(*The same was delivered in,* vide *Appendix* (A), *No.* 24.)

1023. With reference to the Thames between London and Gravesend, I think you would admit that that is entirely an exceptional case?—I think that it is a very exceptional and peculiar case.

1024. Mr. *Gourley.*] Can you mention any special case in which underwriters have compelled the employment of a pilot, either in British or foreign ships?—I am speaking now from hearsay, but I am told that all the foreign ships from the north of Europe coming into the northern channels of the Thames by Orfordness, are compelled by their policies of insurance to take a pilot from Orfordness, and I have heard it on such credible evidence that I believe it.

1025. Can you mention any country whose law compels the insurer to insure for only half the nominal value of the ship?—No; but I think I could easily find for the Committee, laws of foreign countries in which the amount for which a shipowner is allowed to insure is limited; whether those laws practically operate or not is another question.

1026. I suppose that you are aware of the law which exists in this country, that if an accident occurs to a ship, although her owner may be paying upon insured value, upon a specific value he would not receive in return more than two-thirds, or perhaps only one-half, of the proportionate amount for the accident?—I am not aware of that law, but I am not sure that I understand the question fully.

1027. Mr. *Malcolm.*] In consequence of the answer which you gave to the Honourable Chairman just now, stating that you consider that the pilotage of the Thames above Gravesend is an exceptional case, I will ask you whether you extend that to the Clyde, because you stated in your examination in chief the fact that the pilotage of the Thames above Gravesend and the pilotage of the Clyde were much the same thing?—When I hear that the circumstances of the Clyde with respect to the number of the persons employed, and especially the number of unlicensed persons employed, are the same as the circumstances of the Thames above Gravesend, then I would say that the same rule applies to the Clyde above Greenock as to the Thames above Gravesend.

1028. Sir *Charles Wingfield.*] Have you heard that many of the licensed pilots in the Thames have shares in steam-tugs, and derive very considerable profits in that way?—Yes; there has been considerable question about that.

1029. Was it not at one time proposed by the Board of Trade to prohibit them from owning steam tugs?—No; the Trinity House found that there were certain evils arising from the fact of pilots owning steam tugs; they thought that the pilots forced the employment of these tugs upon owners when it was not necessary, and they proposed a bye-law by which pilots should be prevented from owning steam tugs; but upon careful consideration of the question, and after hearing the views of shipowners upon it, the Board of Trade thought that the evils of such a course would be greater than the benefits of it.

1030. *Chairman.*] As this is the third day that you have been examined, it is the wish of the Committee that I should thank you for the admirable manner in which you have given your evidence?—If I may be allowed, I would thank the Committee for their courtesy to me.

Tuesday, 5th April 1870.

MEMBERS PRESENT:

Colonel Bourne.	Mr. Malcolm.
Mr. Cave.	Mr. Philip Wykeham Martin.
Mr. Gourley.	Mr. Norwood.
Mr. Graves.	Mr. Pemberton.
Mr. Grieve.	Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.	Mr. Stevenson.
Sir John Hay.	Mr. Charles Turner.
Mr. Shaw Lefevre.	Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., IN THE CHAIR.

Mr. WILLIAM BROWN CLEGRAM, called in; and Examined.

Mr. *W. B. Clegram.*

5 April 1870.

1031. *Chairman.*] YOU are the Superintendent and Engineer of the Gloucester and Berkeley Canal?—I am.

1032. I believe you have taken considerable interest for some years past in the question of the pilotage of the Bristol Channel?—I have.

1033. Do you recollect the first establishment of Trinity Pilots on the River Severn between King Road and Sharpness Point, between 30 and 40 years ago?—I do; nearly 40 years ago.

1034. The pilotage of the Bristol Channel was for many years under the entire control of the Corporation of Bristol?—It was, extending as far, I think, as the entrance of the Gloucester Canal.

1035. It extended from Lundy Island, on the west, to the entrance of the Gloucester Canal?—Yes, and I believe further; I think their powers extended up the river as far as the tide flows; but practically, for all sea-going purposes, it extended to the entrance of the Gloucester and Berkeley Canal.

1036. Was there a separate authority for the pilotage up the canal itself?—Yes.

1037. But the sea pilotage was under the jurisdiction of the Bristol Corporation, was it not, together with the pilotage for Cardiff and Newport?—It was.

1038. I believe that at Newport there were Trinity pilots for the local pilotage; but that the sea pilotage was under the Bristol pilotage authorities?—Solely.

1039. I think there were considerable complaints made of that state of things on the part of Gloucester and of Cardiff?—Very great complaints were made some 24 or 25 years ago, and they were increasing from year to year, until about 17 years ago, when the first steps were taken to remedy the inconvenience arising from the then existing state of things.

1040. You were one of those gentlemen who took an active part, with a view to an alteration of the system?—I was.

1041. Will you state to the Committee the objections which you found to the pilotage as then existing?—The principal objections were, that the lower part of the Channel was capable of being navigated to a very great extent without pilots, and therefore a charge was imposed upon shipowners which was felt to be unnecessary; and although the ports of Newport, Cardiff, and Gloucester had then become places of considerable traffic, they had no control whatever of the pilotage, or in the regulation of the charges; it was felt that the charges were very high, besides being imposed where they were not needed.

1042. Were the objections, in the first place, that the pilotage was imposed upon vessels unnecessarily; and, secondly, that the rates were too high, and that the sole control of the pilots was in the hands of the Bristol corporation?—Yes.

1043. You were one of those, I think, who took an active part in agitating against that state of things?—Yes.

1044. I think that in the year 1853 the first change was made with respect to pilotage?—The first change which was made was in 1853. Representations were made, I think, after the passing of Mr. Cardwell's Act in 1853, which gave power to the existing pilotage authorities to make arrangements with other pilotage authorities in the neighbourhood. Under that Act the Gloucester and Berkeley Canal Company, as representing the authorities for the trade of Gloucester, communicated with the authorities of Bristol, begging for certain changes which they felt were needed to secure their trade from the inconveniences which resulted from the then existing system. Amongst those inconveniences, apart from what I have previously mentioned, were these: that a pilot, taking charge of a vessel bound for Gloucester, could only do so from King Road. The vessels were brought up the Channel by the Bristol pilot to King Road, and there they were anchored, the Bristol pilot having done his duty, and they sometimes lost many tides in getting up to Gloucester, occasioned by the change of pilots. Then on the outward voyage that was felt to be even a greater hardship, because vessels leaving the entrance of the Gloucester canal, outward bound, could always pass down the Channel if the pilot had the authority to do so; but he was compelled to bring up in King Road for a Bristol pilot, there to take charge of the vessel. The authorities of Gloucester asked the authorities of Bristol at that time to extend the limits of the Gloucester pilotage as far down as the Flat Holmes, and that it should be, as far as their vessels were concerned, a non-compulsory pilotage between Lundy Island and

and the Flat Holmes, and also that a certain and reasonable pilotage rate the Gloucester pilots should be permitted to charge over that extended district. The Bristol authorities considered that application, and did not comply with it. Then, for some years after that the grievance still went on, and was felt very much both at Cardiff and Newport, as well as at Gloucester.

1045. I think that you memorialised the Board of Trade upon the subject?—Yes; Bristol not having acceded to the request, the Gloucester Canal Company memorialised the Board of Trade, begging that Board to have the entire question of the pilotage of the Bristol Channel investigated, which was done by the late Admiral Beechey.

1046. And he reported to the Board of Trade upon the subject, did he not?—He did. I was present at the whole of that investigation, and so were the representatives of other ports in the Channel: Newport, Cardiff, Bristol, Bridgewater, and Swansea; I think that all those ports were represented there.

1047. Nothing however was done, I believe, until the year 1860?—Nothing was done until 1860.

1048. Will you state to the Committee what took place in the year 1861, when the application was made to Parliament?—In 1861 the ports of Cardiff, Newport, and Gloucester combined, and made an application to Parliament to be released from the jurisdiction of Bristol over the pilotage of the Channel; that they should have their own limits of pilotage defined, and should have authority to appoint their own pilots and to make their own rates; and that the whole should be on the non-compulsory system.

1049. You took an active part in promoting the measure, which was then laid before Parliament?—I did.

1050. That Bill was referred to a Select Committee in the House of Lords, and also, I think, in the House of Commons?—It was.

1051. And evidence was taken before those Committees, both for and against the Bill?—Yes; a very large amount of evidence was taken, and the Bill was passed in that year.

1052. Was the effect of the Bill to abolish compulsory pilotage as far as Gloucester, Cardiff, and Newport were concerned, freeing them from the control of the Bristol authorities, and leaving compulsory pilotage existing only at Bristol?—That was so.

1053. Before I question you as to the result of that Act, will you shortly describe the nature of the navigation up to Gloucester, from the point at which vessels now generally take their pilots?—Lundy Island is the western-most limit of the Gloucester pilotage, and, indeed, of the Bristol Channel pilotage. There is a difference of charge in the pilotage between Lundy Island and the entrance to the Gloucester Canal, arising at different stations: of which the Nash Point is one, and the others are the Flat Holmes and King Road. The Gloucester Canal leaves the Severn about 20 miles above King Road, and it passes on, cutting off the circuitous route of the river Severn up to Gloucester.

1054. When Gloucester was under the Bristol corporation, as far as pilotage was concerned, where did the vessels generally take their sea pilots?—At the entrance of the canal, at Sharpness.

1055. But inwards?—They were limited to King Road (*pointing to the map*).

1056. But where was the Bristol pilot put on board?—The Bristol pilot was put on board wherever the vessels could find Bristol pilots in the Channel below, and the Bristol pilots had the authority to navigate up to King Road (*pointing it out*), and from King Road the Gloucester pilots under the Trinity House navigated the vessel to the entrance of the canal.

Mr. *W. B. Clegram.*

5 April 1870.

1057. What are now the limits of the Gloucester pilotage district?—From the entrance of the Canal at Sharpness point to Lundy Island (*pointing it out*). This westernmost limit is the limit of all the pilotage authority in the Channel, the Bristol limit.

1058. After the passing of the Act of 1861, a separate pilotage authority was constituted at Gloucester for this district?—It was.

1059. And then there were licensed sea pilots specially for Gloucester?—Yes; it should be quite understood that the Gloucester pilots, under the Act of 1861, have the full authority to pilot from the entrance of the Canal to the extreme limit of the Bristol Channel, Lundy Island being that limit.

1060. And I suppose that a fresh system of rates was established in consequence of that Act?—A fresh system of rates was established.

1061. Were the new rates lower than the rates which had been paid previously?—They were considerably lower, as between King Road and Lundy Island; 33 per cent. lower, I think.

1062. Is the navigation of the Channel, from the extreme point upon that map to below Bridgewater, a difficult one, say to Foreland Ledge?—I am not a seaman, and I can scarcely speak upon that point, but I have heard masters of vessels say that it is very rarely that they require pilots upon the lower part of the Channel, but in the upper part of the Channel decidedly pilots are required.

1063. Is it a difficult navigation?—It is a difficult navigation.

1064. The pilotage authority commenced to license pilots for the separate district which was then created?—Yes.

1065. What is the number of pilots who have licenses for that district?—There are 21 Gloucester pilots now, and they are all pilots for the Channel, excepting one. That depends upon the nature of the examination passed. One is simply a pilot from the entrance of the canal to King Road; the others are all licensed for the Channel as well.

1066. Where do they generally now meet the vessels?—The greater number of vessels which are met by the Gloucester pilots are not lower down than between Nash Point and Lundy Island.

1067. Is that the place where the vessels generally want to take on board pilots?—They generally have their flag flying for a pilot after they pass Lundy Island.

1068. What is your opinion as to the result of the change?—I am decidedly of opinion that it has been an advantageous change. I may say, certainly, that during the eight years it has been in operation the Pilotage Board of Gloucester has had no complaint from shipowners or shipmasters of the want of pilots in the Channel.

1069. Is there full employment for the pilots whom you have licensed?—There is full employment for them, and they are making a very good living.

1070. Can you state to the Committee what are the average earnings made by the Gloucester pilots?

Mr. *W. B. Clegram.*
5 April 1870.

pilots?—I have not a return for the last year; I came rather hurriedly from home; but in the year 1868, according to a Return which has been made to the Board of Trade, I think their average earnings were 230 *l.* a year; some of them, of course, getting very much more than that; those are gross earnings.

1071. Does each man have his separate earnings, or are they lumped together?—Each has his separate earnings. Very nearly each man has a boat. I think there are 18 boats, and there are 21 pilots. Some of the younger ones have not yet been able to procure boats; and under those circumstances the board sometimes allow two pilots in one boat.

1072. Do you limit the number of pilots that you can license, or not?—They are only limited by the necessities of the trade. If we found that the 21 were insufficient for the work of the Channel, more would be licensed, and there would be no difficulty in licensing, because there are apprentices now ready to take the service.

1073. But you do not add to their number unless the trade requires it?—Certainly not.

1074. Therefore, practically, there is a limit to their number?—Yes.

1075. You endeavour to proportion the number of pilots to the requirements of the trade?—Yes.

1076. Has any complaint been made by the trade of the want of a sufficient number of pilots?—No.

1077. On the other hand, has there been any complaint on the part of the pilots of the want of sufficient employment?—Certainly not.

1078. Sir *John Hay.*] Are you speaking only of Gloucester?—Only of Gloucester.

1079. *Chairman.*] Do you know anything of the working of the change at Cardiff?—I only know generally, but I believe that both at Cardiff and at Newport they are as well satisfied with the change as they are at Gloucester.

1080. The Bristol pilots are now occupied in piloting vessels to Bristol only I believe?—To Bristol only; but they have larger boats than the Gloucester boats, and I believe larger than the boats at Cardiff and Newport, and they sail farther to the westward, and occasionally pick up vessels bound for Gloucester and the other ports.

1081. Occasionally, when a vessel wants a pilot rather sooner than in ordinary cases?—The Bristol pilots generally cruise further westward than the Gloucester, Newport, and Cardiff pilots.

1082. Has the change had any effect upon the Bristol pilots?—I think that it has had the effect of stimulating them to greater exertion. I know that some of the Bristol pilots cruise round the land as far as Falmouth, and have brought many vessels into the Channel from Falmouth bound to Gloucester.

1083. Has the result been a saving to the shipowners of Gloucester?—It certainly has.

1084. Have the rates been lowered?—The rates are lower, as I said, by 33 per cent., taking the average between Lundy Island and King Road for all vessels bound to Gloucester, than they were under the old system.

1085. Can you give the Committee any information as to the number of vessels that take pilots coming up to Gloucester?—I may say that all the vessels, or nearly all the vessels, coming to Gloucester take pilots on that portion of the pilotage ground between King Road and the entrance to the canal. The physical character of the river necessitates the taking of pilots over that distance.

1086. Although, therefore, it is perfectly voluntary, as a rule they continue to take pilots?—Quite so, except those masters who are well acquainted with the navigation of the river.

1087. Has any complaint been made of the loss of vessels through the masters not taking pilots?—None; no such complaint has come before the board.

1088. Have you read the Bill which is now before the Committee?—I have.

1089. What is your opinion as to the propriety of abolishing compulsory pilotage generally?—Judging from my experience in the Bristol Channel, I should say that it would be an advantageous thing throughout the kingdom if the change were made.

1090. Do you think that the experience of the change, as far as Gloucester is concerned, from the compulsory system to a voluntary system, is highly satisfactory?—It certainly is.

1091. And no complaints have been made as to the working of the new system at Gloucester?—None whatever.

1092. Nor as far as you are aware at the other ports affected by the change?—None.

1093. Have you heard of any demand on the part of the Gloucester or Cardiff people to revert to a system of compulsion?—Certainly not.

1094. Nor on the part of the pilots?—Certainly not.

1095. Do you believe that the Gloucester pilots are content with the system under which they now work?—I know they are content with it.

1096. Mr. *Graves.*] Are the pilots at Gloucester under a local authority?—Yes, they are under the authority created by the Act of 1861.

1097. Will you state to the Committee how that local authority is constituted?—The Gloucester and Berkeley Canal Company appoint four of the commissioners, and the corporation of Gloucester appoints three. The mayor, for the time being, being one of them.

1098. Has the commerce of the port any direct representative on that board?—Only through the Gloucester and Berkeley Canal Company.

1099. Is that a private company?—It is a private company.

1100. And the corporation represent probably the town rather than the commerce of the port?—That is so; they represent the town and the commerce of the port.

1101. So that there is no direct representative of the commerce of the port, or of the shipping interested on your board?—Excepting through those authorities.

1102. Will you inform the Committee of the nature of the examination which those pilots undergo in order to get a license?—There are three nautical gentlemen on the board, two of whom are commanders in the Navy, and one a retired shipmaster, well acquainted with the navigation of the Channel, and of the others, some are merchants. I am one of them, as representing the Gloucester and Berkeley Canal.

1103. And by whom are the two nautical gentlemen of whom you speak appointed?—They are appointed by the Gloucester and Berkeley Canal Company.

1104. You

1104. You stated, I think, that you were not yourself conversant with nautical matters?—I am not, excepting in so far as my connection with the trade for a great many years goes. I am not a sailor.

1105. And yet you think yourselves qualified to speak of a pilot as properly licensed or not for the navigation?—I do not say that. The pilotage board leave the examination of the pilots in the hands altogether of the nautical men. They are examined by those three gentlemen, and one or two of the oldest pilots.

1106. Can you tell me how many they have examined since 1860?—I cannot do so without looking at the books, but I suppose that they may have examined 10 or 12 since 1865.

1107. Can you inform the Committee how many have been licensed since that time?—I cannot tell you the number, but I know that several have been licensed. On the death or retirement of an existing pilot others are licensed.

1108. Is the trade of Gloucester increasing?—It is very much increasing.

1109. Are you aware that since the year 1865, by a return which has been forwarded, I suppose by the pilotage authorities, only four pilots have been licensed since 1865, notwithstanding the increase of the trade of Gloucester?—That may be so.

1110. Are you aware that five pilots have ceased to be pilots within that time?—Yes.

1111. So that, notwithstanding the increase of the trade, you have absolutely one pilot less in 1870 than you had in 1865?—That may be so, but the pilots who are there are found sufficient to do the work.

1112. The average earnings, I think you stated to the Committee, were about 230*l.*?—I think it was 234*l.*

1113. Are you aware that 240*l.* is the net average earnings on the return which is before me for 1870?—That is for the last year.

1114. Would not those earnings rather indicate that, so far as the pilots were concerned, they are in a flourishing condition?—Certainly.

1115. Do you think that that is owing at all to the closeness with which you restrict the number of pilots?—No doubt; if there were more pilots, the earnings would be less; the board are desirous that the men should get a good living, and yet that sufficient pilotage service should be provided for the work to be done.

1116. Do all who offer, and who prove themselves to be qualified, receive a license, or do you fix the number?—No pilot can be qualified who has not served an apprenticeship on the river for five years, and who has not also been to sea for two years; and then they are examined, and if their examination justifies the board in their appointment, they are appointed.

1117. Do the board exercise any control over the number of apprentices placed on board those boats?—They do.

1118. So that they control the apprentices also?—Yes; there are now eight apprentices.

1119. Is that the only way of getting into the pilot service of Gloucester?—It is; that is one of the bye-laws of the board under the authority of the Act of 1861.

1120. Are your pilots allowed to hold any shares in steam tugs?—No; at least I am not aware that they do; but there is no positive bye-law to the contrary.

1121. Are they allowed to claim salvage?—No, unless with the distinct authority of the board.

1122. You have stated, have you not, that the physical condition of the Port of Gloucester is peculiar?—The navigation of the river between King Road and the entrance to the canal is peculiar; the upper part of it especially is very difficult; the channel is continually shifting.

1123. And very few ships practically, I suppose, go up or down without a pilot?—Very few indeed.

1124. Is that at all owing to the system of compulsory pilotage which you had adopted?—I say that the condition of the river between King Road and the entrance to the canal, renders pilotage in that portion of the navigation compulsory, or nearly so.

1125. Physically compulsory?—Physically compulsory.

1126. Is it your opinion that the fact, that you are acting under a voluntary principle has the slightest bearing upon the number of pilots who are taken up and down from Gloucester?—Not upon that portion of the navigation; but upon all the lower portion, I think it has.

1127. So that whether you had a free system or a compulsory system, practically the number of pilots and the number of masters taking pilots would be the same?—I think so on that portion of the river between King Road and the entrance to the canal.

1128. *Chairman.*] That is, in fact, only in the canal itself?—No, from King Road to Sharpness Point. I believe that the physical nature of the river renders necessary compulsory pilotage over that portion of the river.

1129. Mr. *Groves.*] Then may the Committee assume that Gloucester can hardly be taken as a fair illustration of the voluntary system between Sharpness Point and King Road?—Quite so; I have said that.

1130. Mr. *P. W. Martin.*] Do those pilots take apprentices?—Yes, they do.

1131. And are they limited?—There are eight apprentices at the present time. The board see that there are always apprentices.

1132. I suppose that is rearing up a constant crop for the future?—It is.

1133. Mr. *Stevenson.*] Have you any regulations to secure a constant attendance of the pilots at the lower parts of the districts?—We have.

1134. What are those regulations?—That they shall cruise in all parts of the Channel, and make a periodical return to the board where they are day by day.

1135. Then if you found that they were not going well out to sea to look out for ships, but were taking it easy and keeping well up the Channel, would you take steps to require their attendance at a station well out at sea?—We do as far as we can; but I have stated before that their boats are not sufficiently large to enable them to cruise far to the westward. They cruise down to Lundy Island; but certainly not so much so as the pilots from the Port of Bristol, who have larger vessels, and cruise much farther to the westward.

1136. Then what inducement is there for these large Bristol pilot vessels to go so far round as they do?—They are stimulated to that in consequence of the competition in the Channel, which has been introduced by the non-compulsory system. The Bristol pilots, knowing that the trade to the port of Gloucester is very largely a corn

Mr. W. B. Clegram.

5 April 1870.

trade, and that Falmouth is the great place of call for corn vessels, cruise as far round as that with the expectation of getting vessels there bound for Gloucester.

1137. I suppose that I am right in thinking that the compulsory limit is at Lundy Island?—It is.

1138. And those large Bristol pilot boats have no benefit from any compulsory law to induce them to go beyond Lundy Island, have they?—Certainly not; they go there simply in competition with others, in expectation of falling in with vessels to the westward of Lundy Island.

1139. Are the Committee to understand that they had no such inducement to go so far until voluntary pilotage was established by the other ports?—I think they had not. They knew then that all vessels coming into the Channel were their own, and could be met with there; whereas now, if they come eastward of Lundy, the ports of Cardiff, Newport, and Gloucester have their pilots in the districts, and would board their own vessels, and would take them from the Bristol pilots, and therefore they go farther to the westward.

1140. Supposing that a vessel bound for Gloucester takes a Bristol pilot well out in the Irish sea, is that Bristol pilot entitled to bring her all the way to Gloucester?—If the master of the vessel chooses to keep him after they get west of Lundy to King Road. None of the Bristol pilots are licensed for the navigation between King Road and Gloucester, but they are all licensed up to King Road.

1141. And the Bristol pilot cannot be displaced as unqualified for that district?—Not unless the master of the vessel requires it, and then he can. If a Gloucester pilot came alongside of a vessel which was being piloted by a Bristol pilot, and the master required the Gloucester pilot to go on board, the Bristol pilot must give place to the Gloucester pilot, if the vessel were bound for Gloucester.

1142. Then they must acquire that option, I presume, after the vessel has come eastward of Lundy Island?—Yes.

1143. But has the master any motive for making such a change?—He very rarely makes the change.

1144. By what authority are masters entitled to dismiss the Bristol pilot and take a Gloucester pilot?—Under the authority of the Act of 1861.

1145. Sir *Henry Selwin-Ibbetson.*] Does that give him a power of selection?—It does. A Gloucester vessel piloted by a Bristol pilot has only to pay the Gloucester rates of pilotage according to the regulations of the Board of Gloucester.

1146. Mr. *Stevenson.*] That is to say, that although you have Gloucester pilots the Bristol pilots up to King Road have precisely the same privileges as the Gloucester pilots?—If the master of the vessel chooses to keep them.

1147. Sir *Henry Selwin-Ibbetson.*] And that on a non-compulsory system?—Yes.

1148. Mr. *Stevenson.*] Then that is, in point of fact, an extension of the voluntary system, so that the master has not only the liberty of taking a Gloucester pilot or not, but he may take a Bristol pilot?—If a Bristol pilot has boarded a vessel bound to Gloucester in the lower part of the Channel, and the master of the vessel chooses to retain the services of the Bristol pilot, he can do so up to King Road. That is under the the authority of the Act which I have in my hand.

1149. Then how are those Bristol pilots remunerated for their services westward of Lundy Island?—They are not remunerated at all that I am aware of, westward of Lundy Island. They can only charge the rates levied by the pilotage authorities for that portion of the Channel eastward of Lundy Island.

1150. Is there not, in practice, any additional pilotage rate paid in consideration of that?—I am not aware that there is.

1151. If not, however, it would arise from the fact that the Bristol pilots go that distance in order to secure the pilotage within their proper district?—No doubt.

1152. At Lundy Island do vessels coming up the Channel find pilots to take them either to Bristol, or Newport, or Gloucester, or Cardiff, or Swansea?—There are generally pilots cruising within that district, and if they required a pilot a pilot would be almost sure to be found from one or other port.

1153. To meet the case of a ship going to all those ports, there would require to be five separate sets of pilot boats cruising off Lundy Island, would there not?—Yes.

1154. Has a Cardiff pilot the option of taking a Gloucester ship from Lundy Island to King Road?—Yes.

1155. Then, so much of the Channel as is a common approach to all those ports is common ground for the pilots of those ports, is it not?—For the pilots of those ports; but if a vessel is in the Channel wanting a pilot, and bound to either of those ports she must take the first pilot that comes alongside from the particular port to which the vessel is bound.

1156. So that the master, although he may choose whether he shall have a pilot or not; if he does wish to have a pilot he is bound to take the first that offers belonging to his port of destination?—Yes.

1157. That will have the effect of encouraging the attendance of pilots well out at sea, will it not?—No doubt.

1158. And it would prevent any favouritism on the part of a master towards a particular pilot?—Yes, he must take the first pilot that comes alongside of him, if he is a licensed pilot for the port to which he is bound.

1159. Then there are three separate districts between the sea and the harbour of Gloucester, are there not, and three separate pilotage rates?—There are four districts from Gloucester: one from the entrance of the canal to King Road; one from King Road to the Holmes; one from the Holmes to the Nash Point; and the fourth from the Nash Point to Lundy Island.

1160. *Chairman.*] Are there separate rates of pilotage for all those districts?—There are separate rates of pilotage for all those districts.

1161. So that a vessel is not bound to pay for the whole pilotage up to Gloucester, but she may take a pilot higher up?—Quite so. The highest rate would be where a vessel is piloted for Gloucester from Lundy Island; the next would be from Nash Point; the next from the Holmes; and the next from King Road.

1162. Mr. *Stevenson.*] Have you found in practice that masters put off taking a pilot until they get well up the Channel?—We find that is so. For Gloucester the bulk of the pilotage earned

earned is between Nash Point and Gloucester, and not much below.

1163. *Chairman.*] That is not the furthest point of limit which you have mentioned, is it?—Lundy Island is the furthest point.

1164. Is Nash Point the next limit?—Nash Point is the next limit.

1165. Mr. *Stevenson.*] Then supposing that a master refuses a pilot at Lundy Island, and refuses one again at Nash Point, but takes one at the Holmes, does not that tend to discourage the attendance of the pilots in the seaward districts?—It is not found to do so. The pilot, on the expectation of getting employment, cruises about the whole of his district.

1166. And you have not found it necessary to make any regulations (although you could do so if required) ordering the boats to keep down in the seaward districts?—No, we have no complaints that the pilots are not found in their districts.

1167. Mr. *Norwood.*] You have 21 pilots and eight apprentices, have you not?—Yes.

1168. You have 18 boats, I believe?—We have 18 boats.

1169. How do you arrange your system of apprenticeship, if there are only eight apprentices to 18 boats?—The board feel that eight apprentices are sufficient, for they have a great number of young men who have been apprentices who are quite ready to be made pilots.

1170. You have no power to put an apprentice upon a pilot, have you?—The board would have power to put one apprentice on each pilot, but they feel that the number of apprentices are sufficient to keep up the staff.

1171. The pilot boats belong to the pilots, do they not?—The pilot boats belong to the pilots.

1172. Does the amount of estimated average earnings, which appears to be exceptionally high, cover the boat as well as the pilot?—Those are gross earnings, and they cover the boat as well as the pilot.

1173. *Chairman.*] Is there a considerable reduction to be made for expense of the boats?—Yes; some of the pilots have two men on board, and some have a man and a boy.

1174. Mr. *Norwood.*] Are you aware that there is not the slightest information given in this return as to the gross earnings; but that they state the net earnings, and not the gross earnings?—They are the gross earnings which are returned there. It is intended to be the gross earnings.

1175. The column is headed thus: "Estimated average earnings of a single pilot in one year, gross" not known; net, "244 *l.*," the highest net being 358 *l.*; that is so, is it not?—The returns, which are published in 1869 by the Board of Trade for 1868, give the gross earnings. They vary very little, but I think that the returns for the following year would be rather more. I know those to be the gross earnings.

1176. Then they are not the net earnings, but the gross earnings that are down?—Their gross earnings. I know nothing of the return which is before you unless I see it. The gross earnings for the year 1868 were 4,707 *l.* 13 *s.* among the whole of the pilots.

1177. That would be rather more than 220 *l.* a piece, would it not?—£. 230 a-piece, or something of that kind.

1178. Then that return must be altogether erroneous, because they make the average there above that?—I suspect that is put wrong. I do not know where it is obtained from; I do not know what the 244 *l.* means.

1179. At any rate you repudiate that return?—I do not say that.

1180. But is it correct, or is it not?—I do not know. I have not the figures to go upon; but I can give you a correct return for the year 1868.

1181. In 1868, 21 pilots earned a gross amount of how much?—£. 4,707 13 *s.*, and that amount will be found in the Board of Trade return.

1182. Then that makes a kind of rough average of about 225 *l.* a-piece, out of which they have to provide their boat, and to provide a couple of men to navigate the boat?—Either two men, or a man and a boy.

1183. What would be your idea of the expense of the boat; that is to say, a fair return upon the first cost of the boat, and the wages of the men employed?—The first cost of the boat would be from 200 *l.* to 250 *l.*, I suppose.

1184. Then shall we say 20 per cent. upon that, or 50 *l.* a-year, for depreciation and repairs?—It would not be that.

1185. What do you think it would be?—I should think 10 per cent. would pay it very well.

1186. You are not a shipowner, are you?—I am not, but I know those boats very well.

1187. What would be the remuneration of the two men?—I really do not know what they pay the men.

1188. It appears to me that if 225 *l.* is the gross earning of a pilot for one year, and out of that he has to provide his vessel and keep her in proper order and found, and to find the services of a man and a boy, his net income must be extremely small?—I do not think that it would be. I only know that all the men appear to be doing very well.

1189. Then I am afraid that the figures are not to be relied upon?—Those figures which I have given you I know are to be relied upon.

1190. Mr. *Grieve.*] Is one of the men on board a pilot?—No; some take two boys; they are lads of from 15 up to 18 or 19 years of age. Then the apprentice is no expense excepting his food; he is kept by the pilot, but there are no wages.

1191. Mr. *Norwood.*] But whoever the pilot takes, whether it is a man or a boy, must be capable, must he not, of navigating the boat when the pilot leaves it?—No doubt.

1192. What regulation have you as to the turns which those boats have to take; do the Commissioners, for instance, arrange that the pilots take their turn?—No, certainly not. We leave them free to compete one with the other, only taking care that none shall be idle at the port. We get a monthly return of where they are every day throughout the month, and what they are doing.

1193. Then if you found that one man was in port for a week together, you would call him up, I suppose?—No doubt.

1194. Have you had many complaints?—We have not. I believe that, as a class, they are a very skilful class, and a very well conducted class of men, and I believe they are doing very well.

1195. But they earn more than 4,000 *l.* a-year?—Those are the returns made to the board, and I believe those to be correct returns.

1196. I see that there are no masters and mates licensed as pilots in Gloucester?—There are not.

1197. Have you no regular short trades that would

Mr. *W. B. Clegram.*

5 April 1870.

would render it desirable for an owner to have his master or mate licensed?—I think we have not.

1198. What is your licensing authority at Gloucester?—Bristol would be, I take it, the licensing authority.

1199. Sir *Henry Selwyn-Ibbetson.*] You stated, I think, that the pilots were expected to cruise in all parts of the Channel?—Yes.

1200. But that, practically, Nash Point was almost the limit of a great part of their cruise?—I do not say that; I say that Nash Point is the point from which their chief earnings are obtained. They cruise lower down than that, but not to so great an extent as they do down to Nash Point.

1201. They do not cruise nearly to so great an extent as the Bristol pilots do, do they?—I think not.

1202. Do you think that in bad weather they cruise sufficiently low down to the full extent of the ground, or is it only in calm weather?—They are down there in bad weather as well as in calm weather, but as I have stated before to the Committee their boats are scarcely large enough for very bad weather in the lower part of the Channel.

1203. The navigation above Nash is very intricate, is it not?—Above the Holmes, I should say that it was so.

1204. Are the currents changeable, or does the difficulty of navigation arise only from known sandbanks?—I know very little of the navigation nautically; I only know the fact that it is considered difficult between the Holmes and King Road.

1205. But you cannot state to the Committee whether that difficulty arises from the shifting of the sands, or from merely known and ascertained difficulties?—I cannot.

1206. You stated to the Committee, I think, that in your opinion it would be advantageous to extend non-compulsory pilotage to the whole of the kingdom?—I did.

1207. And you have founded that upon your experience of its working in the Bristol Channel?—I think so, and not only so, but I believe that where the demand exists the supply is sure to follow. I think that the principle would quite apply in pilotage as in other things.

1208. Do you think that any difference would be made by the difference in the danger of the navigation?—No doubt, if the navigation were of a character such as that which I have described between King Road and the entrance to the canal, it at once makes a difference there, being necessarily a compulsory pilotage.

1209. Of necessity, then, in difficult places compulsory takes the place of voluntary pilotage?—It must do so in a place of that kind.

1210. If it could be shown that the navigation of any particular port was from the shifting nature of its sands or from other reasons, more difficult than that of Bristol, your opinion as to the necessity of compulsory pilotage with regard to that port would be a little shaken, would it not?—I think that if the masters of vessels were free to select when they should take a pilot, they would always do so when the difficulties were of such a character that they were not competent to navigate the vessels through them themselves; but in no other case would they do so.

1211. You state that the Bristol pilots cruise further out, always supposing this compulsory pilotage to be extended to a more difficult navigation even than your Bristol Channel; would not that be a practicable advantage to masters in case the navigation was really a difficult one from Lundy Island?—No doubt it would; the greater distances at which the pilots are to be met with, where they are wanted, the better.

1212. That system is now maintained under the compulsory plan of Bristol, is it not?—It is maintained under a non-compulsory system; I believe that the competition under the non-compulsory system established in the Bristol Channel has induced the Bristol pilots to cruise further to the westward than they did before.

1213. They themselves being under a compulsory rule?—They themselves being under a compulsory rule.

1214. And the men who do not go so far out being under a voluntary principle?—They are under the voluntary principle.

1215. Mr. *Malcolm.*] You have been telling us a good deal about the dangers of this Bristol Channel; if the pilotage is entirely met by those Gloucester boats, which, according to your account, cost about 250*l.* new, and which are manned by a pilot and a man and a boy, or two boys, what extraordinary difficulty can there be, because, I suppose, when one of those pilot boats goes alongside of a ship the pilot is taken out?—Yes.

1216. And then she is left in charge of two boys?—Yes.

1217. Do you think that that shows that there must be any very great danger or difficulty, because, I suppose, then the boat has to run up to Gloucester?—I have spoken of no serious difficulty in the Bristol Channel, but I speak of it as between King Road and Sharpness Point; and when I speak of two boys, I speak of boys of ages up to 19 or 20; a boy of 18 or 20 years of age may have been three or four years on board of the pilot boat, and knows the river very well.

1218. But they are not likely to trust boys in a boat of that sort very far out at sea, are they?—Those boys are left very far down the Channel very frequently.

1219. In fine weather?—I think not only in fine weather.

1220. I think you stated that you did not know much about sailing yourself?—I know that fact.

1221. What is the general size of vessels going up to Gloucester?—They range up to a thousand and twelve hundred tons register up to the entrance of the canal, but not to Gloucester.

1222. Are they mostly sailing vessels or steam vessels?—They are almost entirely sailing vessels.

1223. You say that there are separate boards, as I understand you, for Gloucester, Newport, Cardiff, and Bristol?—Yes.

1224. Then who is responsible for the state of the buoys, beacons, and other assistances to pilotage in the Bristol Channel?—The Trinity House, I believe.

1225. Is it altogether responsible?—I think so; I am not aware of the fact, but I believe so.

1226. The Pilotage Commissioners, then, of those various parts have nothing in the world to do with it?—The Gloucester Commissioners have nothing to do with it, and I believe the Newport and Cardiff Commissioners have not. The Bristol Commissioners may have something to do with the buoys in King Road, but I think it is under the Trinity House.

1227. When

1227. Then under this non-compulsory system, the boards who are responsible for the pilots have nothing to do with the buoys marking the Channel, which are of such great consequence to the pilots?—No; there are no buoys in the channel of the River Severn between King Road and Sharpness Point.

1228. But there are a good many between King Road and the Flat Holmes, are there not?—Yes.

1229. You stated, did you not, that you had returns from those pilot boats, of where they were every day?—Yes.

1230. Have you any means of testing the correctness of those returns?—We have not.

1231. Then are they not practically valueless?—I think not valueless. The pilots are under heavy penalties for making false returns, and I think they rarely do so.

1232. Of course one would suppose so; but still, practically, you cannot prove either one way or the other. You merely speak for Gloucester, and you do not know anything about Cardiff and Newport?—I have nothing to do with the pilotage authorities at either of those ports.

1233. And you do not know the increase of the trade since 1861, as compared with what it was before?—The trade since the year 1861 has increased considerably in the Channel. I have no doubt at all the ports.

1234. But not, practically, at Bristol?—I think it has; I think that Bristol has held a fair share of the increase, if not a large share of the increase.

1235. Mr. *Charles Turner.*] What description of vessels are those pilot boats from Gloucester?—They are cutter rigged.

1236. Are they open boats?—No, they are deck boats.

1237. Are they half decked, or completely decked over?—Some are half decked and some are completely decked over. The greater part of them are completely decked over.

1238. As to those returns presented once a month to the pilotage authority, are the pilots required to fill up their returns day by day?—They are; they state where they are at noon every day.

1239. But are they obliged to fill those up every day like the log of a ship, or do they, at the end of the month, take a sheet of paper and fill up the returns?—They fill up the returns, I suppose, at the end of the month, but they are expected to keep a record of their position each day.

1240. But is any care taken, as a matter of check, that those returns should be filled up each day?—The return which is made to the board is filled up at the end of the month; it is a printed form.

1241. But is that examined by their loose sheets (or whatever it may be) on which they keep an account of their daily occupation?—It is examined by the harbour master, who is the officer of the pilotage board at the entrance to the canal, and it would be a dangerous thing for a pilot to make a false return there, because he must have some knowledge where they are.

1242. But if a return is made once a month, and is not filled up day by day, may not a man's memory deceive him as to where he has been three weeks before?—But I think he records in his own book where he has been.

1243. But you have no knowledge how that is done, have you?—I know that fact with regard to some of the pilots, for I have myself frequently inquired where they were on a particular day, and their own book shows it. We have no reason to doubt the accuracy of the returns, and, I believe, for the most part, they are quite true.

1244. Unless some means is taken to check those returns, people are very apt to make them up in a very loose way, are they not?—Yes, but I am not inclined to think they are loosely made; I think that they are very correctly made.

1245. The trade of Gloucester is principally in timber and corn, is it not?—It is.

1246. There is a large timber trade as well as corn trade, is there not?—It is large, but the corn trade is by far the largest trade.

1247. Messrs. Price & Co. are the principal importers of timber, are they not?—They are the principal importers, but there are other large importers.

1248. Has the timber trade increased as well as the corn trade very much?—Not to anything like the extent of the corn trade; I suppose that the timber trade would be about one-third of the tonnage of the corn trade.

1249. You say that there are 21 pilots, 18 boats, and eight apprentices; is not that a very small number of apprentices for 18 boats?—The board think that it is quite sufficient to keep up the stock of pilots required.

1250. Then do they limit them to eight, or is it that no more apply?—I suppose that no more have applied. There always are apprentices, and there are always sufficient who have served their apprenticeship to fill up the vacant places.

1251. But I suppose that if every pilot had an apprentice on board his boat, if you have 18 boats you would have 18 apprentices?—No doubt.

1252. Therefore a great many of them can have no apprentices at all?—More than half have no apprentices.

1253. Do you not think that it would be better if they were obliged to have each an apprentice?—I think that the board would compel them to have apprentices if they saw that the number fell short of what they believed to be the requirements of the pilotage.

1254. The return which has been presented differs very materially from your own figures, does it not?—I would not say that that return is inaccurate.

1255. But it differs from your figures; either your figures, which you state are perfectly correct, must be inaccurate, or the return must be inaccurate, must it not?—It is some calculation which has been made from a return. It is not I think a return from the pilotage authority of Gloucester.

1256. Mr. *J. S. Hardy.*] When was compulsory pilotage abolished in the Bristol Channel?—In 1861.

1257. Then I presume that the boats belonging to the pilots of Bristol have been in use certainly for that time; at all events, they are not new since that time?—I am not aware of that.

1258. Is not the probability that the length of life of a boat is greater than that?—I should say so.

1259. You say that the boats of the Gloucester, Cardiff, and other pilots, are considerably smaller than those of the Bristol pilots; would it not appear, therefore, that under a voluntary system

Mr. *W. B. Clegram.*

5 April 1870.

system of pilotage they are not able to provide the large class of boats which the compulsory pilotage system formerly did provide?—The system at Bristol seems to have been altogether different from that of the other ports in the Channel, inasmuch as I believe that they have two or three pilots on board one vessel.

1260. Are they not able, under compulsory pilotage, to establish large sea-going boats, which the voluntary system does not provide at present?—It does not provide them at present at Gloucester and other ports, but the boats which they provide are considered to be sufficient for the service. The Bristol Channel pilotage was a very costly system, and could afford to do, perhaps, what the others could not.

1261. Colonel *Bourne.*] I think you said there were very few buoys between King Road and Lundy Island?—I said that there were none between King Road and Sharpness Point. There are many buoys between King Road and the Holmes.

1262. Is the Holmes above Sharpness Point, or below it?—The Holmes is far below.

1263. What is the distance from the Holmes to Lundy Island, in round numbers?—It is more than 50 miles.

1264. Do you think that those small boats, manned by one pilot, who may be left on board a ship at Lundy Island, could go out as far as that, to be brought home safely by two boys or two young men?—I know, as a fact, that they are.

1265. The return which the honourable Member for South-West Lancashire has asked you for is made up, I think you said, by the harbour-master at the mouth of the Gloucester Canal?—At Sharpness Point.

1266. How can he possibly know what is occurring at a distance of 60 miles?—Of course he cannot tell where the pilots are in the lower parts of the Channel, but there are means of finding out where those pilots are; and a false return would subject them to immediate dismissal.

1267. But the bulk of the pilots do not go below Nash Point, do they?—I do not say that. I say that their chief earnings are from Nash Point upwards, showing that, certainly from that point upwards, masters of vessels generally take pilots; but the pilots go below that point. They very probably are not required until they get up into the narrower parts of the Channel.

1268. I think I understood you to say that there are four rates of pilotage; one between Lundy Island and Gloucester, one between Nash Point and Gloucester, one between the Holmes and Gloucester, and another between King Road and Gloucester?—There are four stages.

1269. Then a vessel coming up Channel from the westward would avoid taking a pilot as high up the Bristol Channel as it possibly could, would it not?—It would avoid taking a pilot as far up the Channel as the master felt competent to navigate the vessel.

1270. And so it would the extra pilotage escape up to whatever point the pilot came on board?—Yes.

1271. I think you stated that the pilot-boats under the voluntary system are not so large as they were under the compulsory system?—I merely speak of the Gloucester boats, which are of the same class as they have always been. They are no larger now, or not much larger. Some of the last boats built are larger than they were some years ago, but not to any great extent, and they are found sufficient for their purposes.

1272. Do you mean those boats simply which ply between King Road and Gloucester?—No, I mean the boats of the Gloucester pilots. They range from 15 to 20 tons. That is about the tonnage of the boats.

1273. Are those the sea-going pilots which go out as far as Lundy Island?—Yes; they go to the westward of Lundy Island.

1274. But when you stated that the pilot-boats are not so large now as they were 10 years ago, to which boats did you allude?—I think I have not said that. I have said that the vessels employed by the pilots at Bristol are of a larger class than those employed at Gloucester, Newport, or Cardiff, and as a rule they cruise farther to westward than the pilot-boats from the other ports.

1275. Sir *Henry Selwin-Ibbetson.*] Perhaps, having only one pilot on board, the inducement is not so great to go so far out to sea as when, in the case of the Bristol boats, there are several pilots on board?—I think that the fact that each pilot owns one boat is a very great inducement to each man to look after his own interests, and to go as far out to sea as he can.

1276. But they do not go so far out as those boats which carry more pilots, do they?—I say that the Bristol boats go more to westward, with the expectation of picking up vessels farther down Channel, and I think that has arisen largely from the competition induced amongst the pilots by the non-compulsory system.

1277. Colonel *Bourne.*] You are not a sailor, and perhaps it is hardly fair to ask you the question, but has there been much change in the shifting of the banks between King Road and Lundy Island?—I do not know.

1278–9. Mr. *Grieve.*] I think you said that the number of pilots is limited to 21; was it ever more or less?—It has been less, I think. In the year that the Act of 1861was obtained it was 18.

1280. Has there been any complaint from shipowners of the insufficiency of the number of pilots between Gloucester and Bristol?—There has not.

1281. Have you calculated the wages of those two boys, or of the man and the boy, in the boats?—I have not. The apprentices, of course, receive nothing but their food.

1282. I think you said that when an apprentice has served five years he was eligible to be licensed as a pilot?—They are apprenticed for five years, and they must go to sea for two years before they can be examined as pilots, and then they are entitled to be licensed as vacancies occur, if they pass a special examination.

1283. Mr. *Gourley.*] Do you know whether the pilotage supply in the Bristol Channel is as good now as it was previously to the abolition of the compulsory system?—I think it is very much better.

1284. What is your reason for thinking it better?—There is a larger number of pilots on the Channel than there were before.

1285. Do they go farther out to sea than they did before?—I think the Bristol pilots go farther out to sea than they did before; I have no knowledge of Newport and Cardiff.

1286. Do you know anything, or do you know as

as much of the nature of the waters in the Mersey and the Thames as you do of those in the Bristol Channel?—I do not.

1287. Therefore you are not able to speak as to the comparative difficulties in the navigation; that is to say, whether the Bristol Channel is as difficult as the Mersey?—No.

1288. Is the Bristol Channel generally a difficult navigation?—No, it is not considered so between Lundy Island and Holmes.

1289. I believe all masters in command generally take pilots, do they not?—They generally take pilots somewhere within the Bristol Channel, but I think not generally from Lundy Island.

1290. I think that you said, that the Cardiff pilots were not prohibited from piloting vessels up to Gloucester?—Yes; they are not licensed above King Road.

1291. Therefore it is not necessary for the Gloucester Board to license a larger number of pilots, is it?—The Gloucester Board would license as large a number of pilots for Gloucester as they felt the trade of the port required. If complaints were made that the Gloucester pilots were not to be found, and that more pilots were needed, I have no doubt the Gloucester Board would appoint an increased number of pilots.

1292. Do you think it would be much better to leave the piloting of ships open to all who could pass an efficient examination for a license, regardless of numbers, and so destroy the present protective system?—I do not think so.

1293. Why do you think not?—I think that a very large number thrown into any navigation would not get a good living out of it; and it is not desirable to have men employed who are not maintaining themselves fairly.

1294. You are in favour then of a protective system, rather than of a free and open system?—In that direction I should be.

1295-6. For the Bristol district you have the compulsory system, and for Cardiff, Newport, and Gloucester you have a free system, have you not?—Yes.

1297. Are there any difficulties arising out of the existence of the two systems; for instance, if you had a vessel coming into collision with a vessel belonging to any other shipowner, would there be any difference in the liability as between the vessel with the non-compulsory pilot and the vessel with the compulsory pilot?—I am not aware that there would. The Bristol pilot, in so far as the other ports are concerned, is placed under the non-compulsory system. He cannot compel a vessel that is bound to either Cardiff, Newport, or Gloucester to take a pilot.

1298. *Chairman.*] What I understood the honourable Member to ask was this: supposing your vessel under charge of a non-compulsory pilot is to come into collision with another vessel proceeding to Bristol under charge of a compulsory pilot, whether any hardship would occur from the fact that you would be without remedy if the master of the other vessel was to blame; whereas if your master or pilot was to blame, the owner of the other vessel would have a remedy against you?—I am not aware that that is so.

1299. Mr. *Gourley.*] Are you aware of the fact that where a vessel is navigated by a compulsory pilot, in the event of a collision, the master would be freed from responsibility, whereas under the non-compulsory system he would be responsible?—Then it is very desirable to get rid of a compulsory system, in order that that should not arise. I know the question has arisen. I think the whole pilotage ought to be under one system.

1300. What system do you recommend?—I have stated before that I believe a non-compulsory system throughout the kingdom would be an advantage to the trade of the country.

1301. Would that be, in your opinion, an efficient system?—I think so.

1302. Mr. *Cave.*] I think you stated that one of the evils of the old system was the change of the pilots at King Road, did you not?—Yes.

1303. Am I right in supposing that you said a pilot might now be changed at any part of the Channel at the option of the master?—That is so.

1304. Then the old evil is intensified, is it not, by that change?—I think not. I think where a master requires a pilot, and has one on board who is qualified, he would retain the pilot that he had, and not change him.

1305. But that is going exactly in the opposite direction; you say that now the pilot may be changed at the option of the master in any part of the Channel; supposing that option is exercised, would you not consider that a worse system than changing him at a fixed point?—I think not, because the change would take place during the time that the vessel was passing in the Channel, whereas the change before, as regards Gloucester, took place at King Road. The vessel was anchored and stopped in her voyage to Gloucester, and *vice versâ*, and therefore there was considerable loss of time.

1306. If a Bristol pilot takes a ship from Falmouth to the Holmes, for instance, he can then be turned over the side by the Gloucester pilot who has gone no farther than the Holmes, can he not?—If the master chooses there to take the Gloucester pilot.

1307. Do you think that is no hardship to the pilot?—I think not, because the Bristol pilot would get the proportionate pilotage up to that point.

1308. He having gone to Falmouth for it, and the other pilot having remained near home, you think that is no hardship?—I think not.

1309. How is the Bristol pilot remunerated for work beyond Lundy Island?—That I am not at all aware of. It can only be by agreement with the master if he be paid anything. He can only claim pilotage from Lundy Island eastwards.

1310. You do not know, as a fact, how that is done?—I do not.

1311. The Bristol pilots, before 1861, took vessels to Gloucester, did they not?—No, only to King Road.

1312. Then from King Road to Gloucester you are not subject to the Bristol jurisdiction?—We were subject at that time to the jurisdiction of the Trinity Board, and of the Bristol Pilotage Board, only from King Road downwards.

1313. That Bill of 1861, of which Gloucester was one of the promoters, had no reference to the pilotage inside of King Road; between King Road and Gloucester, had it?—No, not as regards Bristol.

1314. You stated, I think, that the Bristol pilots go farther to the west, because of the competition under the voluntary system; do you not mean because the pilotage is thrown open to the other ports?—That is so.

Mr. *W. B. Clegram.*

5 April 1870.

1315. But that is not the voluntary system; that is only an accident of it, is it not?—It is an accident of it, no doubt. The Bristol pilot knows now that if within the limits of the other ports he falls in with a vessel bound to those ports, he cannot take her if a pilot of that port be there; but boarding her beyond those limits, he relies upon the master of the vessel to retain his services, and therefore he gets additional work.

1316. But would not the competition be precisely the same if the pilotage was compulsory to all ports, provided the master took the first pilot he met?—No doubt if the other ports had their own pilotage authority, it would be the same; but when it was wholly in the hands of the Bristol pilots, the Bristol pilots did not cruise so far to westward.

1317. It has nothing to do with the voluntary system, but it is simply on account of the pilotage being thrown open to all the ports, is it not?—Quite so.

1318. Therefore it is not quite an accurate use of terms, is it, to say that the competition has arisen on account of the voluntary system being established in the Bristol Channel?—It has introduced a larger number of pilots into the Bristol Channel who can pilot vessels there than existed before 1861. The Bristol pilotage had the sole control before that, and therefore the pilot now cruises farther to the westward in the expectation of picking up vessels which, if they came within the limits of Lundy Island would be claimed by pilots of other ports.

1319. And you would say that the competition has been caused by the breaking down of the Bristol monopoly and not by the introduction of what we call the voluntary system?—Not exactly so.

1320. I think if I remember rightly that the sole object of the promoters of the Bill of 1861, was to get rid of the Bristol monopoly?—It was; and also to establish the voluntary system.

1321. Is it the fact, that the petitioners were in the first instance opposed to the compulsory system as regarded their own ports?—I can distinctly say so for Gloucester, because in a memorial to the corporation of Bristol as far back as 1853, that was one of the points urged by Gloucester.

1322. But you do not remember whether the voluntary system was rather forced upon the promoters of the Bill during the passage of the Bill through Committee, or whether it was part of the original application?—I think I may say that it was in the original application.

1323. From all the ports?—It certainly was from Gloucester, and I think I may say it was for the ports of Cardiff and Newport; certainly, for Newport; but Cardiff was more under the control of Bristol than Newport. The Cardiff local pilotage, I think, was established or appointed by Bristol.

1324. Is it not one of your arguments in favour of the voluntary system, that the demand and supply would regulate each other with regard to ships taking pilots?—I think so.

1325. But you do not think that that principle of demand and supply can be trusted in the question of licensing pilots?—I think it is undesirable to have too large a number of men appointed for a service that does not need their services.

1326. But if your principle is good it would in itself limit the number of men, would it not?—I have no doubt that it would be so, and that when they found they could not get a living, they would not apply for a license.

1327. At present, however, you think a paternal system is good for the pilot and not for the shipowner?—I think a paternal system is not good for the shipowner, because I believe he pays very much more for pilotage service than he needs.

1328. But it is good for the pilot?—It is good for the pilot.

1329. Sir *Charles Wingfield.*] When you say that the present system of limiting the number is good for the pilots, you mean that it is good for the existing pilots; that is to say, the individuals who are now pilots; but leaving the number to be regulated by the law of supply and demand would not injure any future body of pilots, would it?—No. That is a point which I have not very much considered; but I have always felt it to be undesirable to employ a very large number of persons to do a small amount of work. Neither gets a good living out of it, and the work is not well done.

1330. You do admit that ultimately the ordinary law of supply and demand must regulate the number?—Ultimately it would.

1331. So that it is only a question of the interest of the present men?—Of the present men.

1332. In the Bristol Channel have you any unlicensed men working as pilots?—None that I am aware of. They are under a penalty if they do so.

1333. It seems that the circumstances of the river from King Road up to Sharpness are very much the same as those of the Thames from London to Gravesend; that is to say, there is no danger, or risk, or exposure, but the channel is difficult?—The channel is difficult.

1334. And therefore whether the system there is compulsory or voluntary pilots must be taken, must they not?—Pilots are taken as a rule.

1335. In fact, is not this circumstance of the difficulty of the channel instead of being an argument in favour of compulsory pilotage, a proof on the contrary that that difficulty will always procure a number of competent pilots?—It is so, as I stated before.

1336. The mere fact of the difficulty gives employment, does it not?—Yes.

1337. *Chairman.*] I think you said that the main difficulties of navigation are from King Road up to Gloucester?—The main difficulties, no doubt.

1338. And from King Road to Nash Point the difficulties are not so great, are they?—They are not.

1339. But the great bulk of the vessels take their pilots at Nash Point?—At Nash Point and the Holmes.

1340. Do you see any reason why they should be compelled to take their pilots at a point beyond that at which they want them?—Certainly not.

1341. Under the old system, they were bound to take their pilots at Lundy Island, were they not?—They were bound under the old system to take their pilots at Lundy Island.

1342. And that is still the case with Bristol, is it not?—That is still the case with Bristol.

1343. Can you see any reason why Bristol vessels should be bound to take their pilots at a point

point beyond that at which the Gloucester vessels take them?—I cannot.

1344. You have been asked as to whether the returns made by the pilots are genuine; have you any reason to doubt their genuineness?—I have no reason to doubt their genuineness.

1345. Have you had any complaints from shipowners or masters of pilots not being in their places when required?—We have not, in any kind of weather.

1346. And, therefore, you have no reason to believe that the returns are not accurate?—No.

1347. Are steam tugs largely employed in towing vessels up to Gloucester?—Very largely.

1348. Do vessels take pilots, notwithstanding, in addition to the steam tug?—Yes.

1349. It is not considered sufficient alone to have a steam tug, is it?—It is not considered sufficient to have a steam tug alone, but a vessel taking a pilot with a steam tug is benefited by a deduction of one-fourth of the pilotage rate, and one-fifth is taken off if the vessels are light.

1350. And with that deduction they invariably take pilots as well as tugs?—They do.

1351. How is the pilotage board at Gloucester constituted?—They are seven members, four of whom are appointed by the Gloucester and Berkeley Canal Company, and three by the corporation of the city of Gloucester, the mayor for the time being being one of them.

1352. Is there any difficulty in finding applicants to enter the pilotage?—There has not hitherto been any such difficulty.

1353. If there is a vacancy amongst the pilots, are there plenty of applicants for it?—There are plenty of applicants. We have rather a large staff of young men now, quite competent for the work.

1354. Mr. *Charles Turner.*] I think you said that two of the members of the pilotage board had been officers in the navy?—Two are officers in the navy.

1355. Is it a matter of accident, or is it a matter of necessity, that two members should have been officers in the navy?—They were appointed because of their nautical knowledge.

1356. But was it a matter of necessity that they should be so appointed, or is it optional?—It is a matter of necessity that the pilotage board should have nautical men upon it.

Mr. *W. B. Clegram.*

5 April 1870.

1357. But is it a matter of necessity that they should be nautical men?—The necessities of the case require it.

1358. But is it obligatory by law?—It is not obligatory by law.

1359. *Chairman.*] The Bristol vessels are still bound to take their pilots at Lundy Island; are they not?—They are.

1360. And therefore there is an inducement, is there not, to the Bristol pilots to have larger boats to take them out to Lundy Island, and there to board the vessels?—Yes.

1361. But, in your opinion, is there any more reason why the Bristol vessels should be bound to take pilots than the Gloucester vessels?—Certainly not.

1362. Sir *John Hay*] Do the nautical members of the board concur with you in your belief as to the superiority of the present system over the former system?—I believe they do.

1363. Mr. *Graves.*] You have stated that there are no buoys between King Road and Sharpness Point; does that arise from there being no necessity for them?—I think there is no necessity for them; the landmarks are sufficient to enable the pilots to navigate that portion of the river.

1364. Have there been any complaints as to the want of buoyage?—No, the pilots alone take the vessels in that district, and they know the river very well.

1365. Supposing that they were wanted, upon whom would the obligation rest to place them there?—I think, on the pilotage authority, from King Road to Sharpness Point.

1366. Colonel *Bourne.*] I think you stated that there were 21 pilots; are those 21 pilots attached to Gloucester only?—Yes, they are Gloucester pilots.

1367. Do you know how many pilots there are belonging to Bristol?—Not certainly, but I think there are between 50 and 60 pilots.

Captain Sir Frederick Arrow, Knight, called in; and Examined.

1368. *Chairman.*] For the last five years have you been Deputy Master of the Trinity House?—It will be five years in June.

Capt. Sir *F. Arrow,* Knight.

1369. And previously to that time you were connected with the Trinity House?—I have been in the Trinity House since February 1859.

1370. And previously to that you had had considerable experience in the merchant service, I believe?—Yes, a good deal.

1371. Trinity House, as I need hardly ask, is the pilotage authority for the Thames, and also for a considerable extent of the coast round the country, is it not?—Yes; it is the largest pilotage authority in Great Britain.

1372. With reference to the subject of compulsory pilotage, you are here to speak your own views, rather than those of the Trinity House?—I am very glad to have been asked that question, because I wish most emphatically to state that I am not here to express the opinions of the Elder Brethren of the Trinity House, for two reasons; in the first place, that their opinions have not been asked; and in the next place, that it is many years since we have had any discussion as to the question of the advisability or non-advisability of compulsory pilotage; and therefore I should be perfectly unprepared to say what their opinions were.

1373. I think that on previous occasions, without being asked when the question of compulsory pilotage has been mooted, they have expressed a strong opinion against the abolition of compulsory pilotage?—I think they have, but I may, perhaps, make a little qualification to that which is, that the Trinity House have always been exceedingly ready to grant exemptions, which is, perhaps, rather opposed to the view of their being altogether in favour of compulsory pilotage. But while they certainly have been themselves foremost to grant exemptions from compulsory pilotage, they have, as a body, expressed their opinion that compulsory pilotage should be maintained; I think 1862 was the last time when I remember the subject being discussed.

1374. But the subject has not been discussed by them on the Bill which is now before the House, and they have expressed no opinion upon it?—Not at all; and they expressed no

Capt. Sir *F. Arrow*, Knight.

5 April 1870.

opinion whatever, because they consider that the relation of the pilotage authority to the pilots themselves is one which is very often misunderstood. It is frequently supposed that a pilotage authority necessarily leans towards the pilots, whereas we have always held it to be our duty to hold an even balance between the pilots and the public; and while we wish to do everything on earth that we can for the pilots' benefit, we have always considered that the public were the first consideration.

1375. Therefore, as to compulsory pilotage, you speak your own views?—Entirely.

1376. Will you hand in a return showing the district over which the Trinity House has control?—I will do so.

1377. Will you shortly state to the Committee, geographically, what are the limits of the Trinity House district?—We go all round the coast of England, with the exception of those districts which have special pilotage authorities of their own, such as the Bristol Channel, Liverpool, Hull, the Tyne, Gloucester, Cardiff, and Newport.

1378. Will you state to the Committee what is the number of pilots for the Thames district, and what is the number for the different outports?—There are 50 pilots in the Thames district, who are licensed from London to the sea, both the north and south channels, which have a mileage of about 120 miles. There are 50 more pilots licensed from Gravesend to the sea by both north and south channels, a distance of 95 miles. There are 70 pilots between London and Gravesend, who are called river pilots, who are licensed both up and down.

1379. Are they licensed exclusively for that district?—They are licensed exclusively for that district. There are also 22 who were originally called watermen pilots, but who hold licences, and who really are pilots as much as any others; but they are only licensed for the home trade steam passenger ships. Then by the south channel of the Thames, from Dungenness to Gravesend, there are 128 licensed pilots, who are either called Trinity House pilots, or Cinque Port pilots; and there are 60 pilots in the north channels from Orfordness to Gravesend. In the outports they vary from two and three pilots (I think that the honourable Member for Rye's port, which is the smallest, has only two) up to as high as 83 pilots at the Isle of Wight. At Falmouth there are 50, and at Plymouth there are 32. Those are the largest number, but the rest all vary from two upwards to 15.

1380. In all those districts, including the Thames, pilotage is compulsory, subject to the exemptions contained in "The Merchant Shipping Act," is it not?—It is.

1381. Those exemptions are, however, very numerous, applying to a variety of classes of vessels, and therefore exempting a very considerable number of vessels from the operation of compulsory pilotage?—It is a question whether the exemptions do not really outnumber the compulsory cases; but they are supposed in the Thames, I believe, to be quite equivalent to it.

1382. Taking the north channel of the Thames, by which vessels go to the north of Europe, I think vessels going to the north of Europe are exempted from the compulsory pilotage?—Practically the whole of the north channel is exempt, with about 10 per cent. of exceptions. There may be about 10 per cent. of vessels which are compelled to carry pilots, and the remaining 90 per cent. are exempt.

1383. Therefore those 60 pilots who are licensed from Orfordness to Gravesend, are, in fact, almost under the voluntary system, are they not?—It follows naturally, because they find employment; and as the vessels are not obliged to take them, they are employed in exempted vessels.

1384. Then, again, as regards vessels proceeding from Gravesend upwards, are not a very considerable number exempted?—A great many.

1385. Then the employment of pilots licensed for that district by your board, is, to a great extent, by vessels which are not obliged to carry pilots, is it not?—I believe it is; but I am not in a position to answer that question altogether, because our returns are mostly based upon the earnings of pilots, and they do not discriminate between the one class of vessels and the other. I think that the Board of Trade are in a better position than the Trinity House to give the facts as to that, but no doubt it is the case to a great extent.

1386. So again as to the pilots between Dungeness and Gravesend. Is not a certain proportion of their business derived from vessels which are not compelled to employ pilots?—It is.

1387. And so also with respect to the large out-ports which you have mentioned?—It is so, to a certain extent, as to all of them.

1388. Do you think that the exemptions in the Thames Trinity House district are more numerous than in any other districts, or do the exemptions apply to all?—Our exemptions now apply, and have since 1854 applied to the whole of our out-ports. Those vessels which are exempt in the London district are exempt also in the out-ports.

1389. Will you state to the Committee what is your opinion upon compulsory pilotage?—I should like to guard myself again by saying that it is entirely my own opinion. My opinion is, that pilotage should be either entirely compulsory or that it should not be compulsory at all. I have always thought (and the more I see of it the more I am confirmed in my opinion) that when the first exemption was made as to compulsory pilotage, you really put the axe to the root of the tree. There can be, I suppose, but two reasons for it; the one would be the safety of life and property, and the other would be for the convenience of shipping. Now, I cannot answer the question myself, except in one way, and that is, that if life and property are at stake, the life in a coaster above 60 tons, in which seamen are carried, has as much right to be considered as the life in a large ship of more value. Life is at stake in all of them, and I really believe that the principle was abandoned in practice when the first exemption was made. Perhaps I may say that, singularly enough, it was only a day or two ago that I saw a letter from a gentleman who was for many years connected with the pilotage department of the Trinity House, and although we arrived at different conclusions, they were reached by the same process of reasoning. He said that his view was that compulsory pilotage ought to be maintained, but that every exemption which had formerly been allowed should be done away with, and that it should be pure and simple compulsory pilotage. Now, I am very much of his opinion. I think you should do one thing or the other, although I do not arrive at the same conclusion; on the contrary, I know

(and

(and it must be known to all) that it is impossible to go backwards in the way of imposing a heavier liability upon the trade and shipping of the country. You could not do so, and therefore I am brought to the other conclusion, that what is good for the one cannot be wrong for the other.

1390. Would it, in your opinion, be advisable to go backwards?—It would not.

1391. As regards the safety of the vessel, do you think there is any reason why you should impose the obligation of carrying a pilot on vessels which are not now bound to carry a pilot?—I should think so, if I was not satisfied in my own mind that the necessity of having pilots really would compel masters of ships to take them. There is an instinct of self-preservation which is natural to us all, and I myself believe that pilotage will be as large and as freely made use of as it ever has been under compulsory pilotage.

1392. Then, in fact, the abolition of compulsory pilotage would not, in your opinion, much diminish the employment of pilots?—I think it may vary it. There is no doubt that any violent change or any large change must produce anomalies, and must press unequally upon different classes of people, and there may be peculiarities in some districts which may make a considerable difference; but, taking it in the aggregate, I believe that pilots will be occupied as much as they have been hitherto, and I say so because I think that it is a service which commerce requires, and a necessity which commerce will impose by its own act.

1393. Taking the navigation of the Thames, which I presume from Dungeness upwards may be considered one of the most difficult, if not the most difficult, in the whole of England, will you state to the Committee your experience as to the employment of pilots by vessels which are not now bound to carry pilots?—There is no navigation in this country more difficult than, and I doubt if there is any so difficult as, the Thames. It is a very long mileage, and you cannot get through every stage of it on a tide. You are subject to many things. You must anchor, and it presents great obstacles, not only in the nature of the sands and shoals which guard its mouth, but altogether it is a crowded navigation, and it requires a considerable amount of skill, knowledge, and experience. It is as difficult, I think, as any port that I know in this part of the world.

1394. And there is a great variety, I presume also, in the difficulty of the navigation?—A great variety. In the first place it must not be forgotten (though in these days of steam it is not perhaps of so much consequence, but it is very vital) that the Channel changes when you get to the North Foreland, and the wind which has brought a ship up-channel, is the very wind which will oppose her afterwards, and therefore she cannot by any process have a fair wind all the way.

1395. A sailing vessel without a tug would be compelled to anchor, probably?—Several times before she would get to London.

1396. Will you state to the Committee what is your opinion of the effect of the 388th section of the Merchant Shipping Act, which relieves an owner from liability when there is a compulsory pilot on board?—I apprehend that that is more a question for the shipowner than for me; but I object to it for I think that the effect of that clause is very serious with regard to shipping; and has the effect of placing the pilot and the captain of a ship in a wrong position. I am quite aware, from looking at the Minutes of the Select Committee in 1861, that it was made a very strong point by the owners in London, that the exemption from liability in their minds more than compensated for any amount of pilotage that they might be charged; that, in fact, their pockets were protected. I cannot think that that is a system which is a right one; and I think, moreover, that it has a tendency to evil in more ways than one. One point as to which I certainly can adduce no instance, but which I have often heard openly stated was, that it had this tendency, and I believe more particularly in the upper part of the Thames, that where watermen pilots have been employed by owners of vessels, if any accident happens which might really have been brought home to the owner of the vessel, it not unfrequently occurs that the pilot assumes the whole of the blame, and is authorised by the owner of the vessel to make some arrangement on that basis.

Capt. Sir *F. Arrow*, Knight.

5 April 1870.

1397. Do you think that that Clause tends to cause collusion between the pilot and the owner, with a view of relieving the owner from responsibility?—It has that tendency by common report, not that I know of any case which I can bring before the Committee, for I suppose it is a very difficult thing ever to sift these matters to the bottom; but still it is commonly reported, and not only is it commonly reported, but the pilots themselves know it, and have stated such is the case.

1398. Then, as to the relation between the master and the pilot, in consequence of the compulsory character of this clause, what is your view of that?—I think that it is an influence which is not a right one; I look upon the pilot more as a man to guide and assist, than to take the command of a ship entirely out of the hands of the captain. There was a case in point the other day in the matter of this unfortunate "Spindrift" which has been the source of so much writing and conversation; I do not believe that if that vessel had not been compelled to take the pilot by law, the master of the "Spindrift" would have allowed the pilot to do what was manifestly wrong.

1399. Do you think that the present state of the law tends to alter the relations between the pilot and the captain, and to put the pilot in command of the vessel instead of the captain?—Yes, I think it tends to that, and I think that it tends to give the pilot a position which is not altogether a right one. I think that a captain should defer to the opinion and authority of the pilot as much as possible; but in the case, for instance, of the "Spindrift," it was clear that the pilot was taking the ship in a direction which he ought not to take her, and any man who has ever passed an examination before the local marine board in the Port of London, which contains some portion of the examination for those waters, must know if he attended to it at all, that the pilot was going within a safe line, considering the thickness of the weather, which was the only defence the pilot had. Then, I think, that if the captain had not been rather overborne by the fact that he had a licensed pilot on board, who was there legally to take charge for him, he would have remained on deck, and most likely have remonstrated with the pilot, and said, "I think you are going too much in shore; don't you think you had

Capt. Sir *F. Arrow*, Knight.

5 April 1870.

better keep out into a little deeper water?" I think that he would have done right if he had said so, and I think he would have taken that course if he had not been under the impression that he was entirely superseded.

1400. Do you think that the practice has grown up in the merchant service, that a captain when he takes a pilot on board thinks that he is justified in giving up his command of his vessel?—I am afraid it has; but I do not think that there is any legal definition of it, and for this reason, that the practice varies very much with the class of pilot. Our pilots on the Thames are a superior class of men. They are able men, who know their duty well, and they are men of a certain social position and education, which all carries its weight with it. But if the same thing had happened at the Isle of Wight or Plymouth, where I do not think that the pilots would carry the same weight, in all probability the master there would have taken a course which he would not take with a Thames pilot, who is a superior man.

1401. Do you think that the relations between the captain and the pilot would be more satisfactory if the employment of the pilot were voluntary?—That is my opinion.

1402. Do you think that it would not be sufficient to lay down an alteration in that clause to which I have referred; but that it would be also necessary to leave the employment voluntary?—Yes; I think that the liability clause under any circumstances ought to disappear from the statute; and with that, I believe, the great objections to the voluntary system would disappear too. But at the same time, I believe that the voluntary system of pilotage would be more satisfactory in the end than a compulsory system.

1403. You stated that the great objections to the voluntary system would disappear; by that I presume you mean that one reason for maintaining the compulsory system now is this relief from responsibility which the owners have when they are employing compulsory pilots?—Yes.

1404. Do you believe that that is one of the main grounds upon which it is maintained?—I think so, and one is borne out in thinking so by the evidence which was given before.

1405. Do you think that if that clause were repealed, there would be comparatively few supporters of compulsory pilotage?—I think that would reduce the number of the supporters of compulsory pilotage very considerably.

1406. As to the effect of repealing compulsory pilotage, I think you have already stated that, to a great extent, the pilotage is now voluntary in the north channel of the Thames?—It is so.

1407. Is it not the case that almost all the vessels proceeding by that channel are proceeding to the north of Europe, and are not bound to carry pilots?—They are not.

1408. Is the employment of pilots upon that channel frequent and sufficient?—I have never heard of any complaints; and, comparatively, with the number of pilots to the south channel, there is no great discrepancy between the average earnings of the pilots.

Friday, 8th April 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. Pemberton.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Captain Sir Frederick Arrow, Knight, re-called; and further Examined.

Capt. Sir *F. Arrow.*

8 April 1870.

1409. *Chairman.*] The Trinity House have always endeavoured to carry out that clause enabling them to examine masters and mates for pilotage licenses, have they not?—I think they have, to the full extent that the Legislature intended; I believe that we have examined more masters and mates for pilotage certificates than any other authority in Great Britain.

1410. Can you state what number has been licensed by the Trinity House?—

1411. Those licenses only enable the masters and mates to pilot the vessels belonging to their owners; they are not general licenses enabling them to pilot any vessel, I think?—No, they are simply for the ships of the same owner. I dare say the Committee are aware that the original exemption was simply for piloting one ship; and then, very much on the action of the Trinity House, that exemption was extended further to their being allowed to pilot any ship or ships belonging to the same owners, but no other vessels.

1412. So that if a master changes his employment, he must come again for examination?—He must again come for the transfer of his certificate to another ship.

1413. I think that the Trinity House have also felt the anomalies which at present arise from the exemptions of certain vessels from compulsory pilotage?—I cannot say that we have felt the anomaly; but that there are great anomalies there is no doubt.

1414. The Trinity House have recently considered those anomalies, have they not?—We have at various times considered them, and we have advised the Board of Trade to extend the exemptions where we thought they pressed unduly. I think that one of those cases in point was the case of ships being obliged to pay the gateway pilotage going through Yarmouth Roads. The Trinity House did not do away with compulsory pilotage in that case, but they made such a rate as rendered it impracticable. They charged a penny per foot; and the consequence was that no pilots then offered themselves to board vessels; and afterwards that was confirmed in the amendment of the Merchant Shipping Act.

1415. Will you now state to the Committee your opinion as to the effect of the extension of steam in recent years upon the question of compulsory pilotage?—I think that it has very much simplified pilotage. Every vessel with steam power at command, is much better able to be navigated in difficult waters than a sailing ship, whether her steam power is applied in the shape of a tug, or whether it is applied by her own engines. There is no doubt that the original form of her own engines makes it still easier, and still safer, but the motive power of a tug also goes a very long way to remove difficulties in pilotage matters. The fact that they can pursue a certain course without being necessitated to deviate from it by the wind or the tide makes a very considerable difference; and therefore, pilotage is very much easier with steam than it is without steam.

1416. Therefore, in your opinion, the arguments in favour of compulsory pilotage such as they are, are lessened in consequence of the extension of steam?—I should say that the growth of steam and the question of compulsory pilotage, are very closely connected, and that as the one grew the less necessity there was for the other.

1417. In your opinion, is it even more necessary in the case of steamers that the vessels should remain under the command of their captains, than in the case of sailing vessels?—Certainly, much more so.

1418. I think that the limitation of those pilotage districts which are under the control of the Trinity House, rests very much with the Trinity House, does it not?—It is very much under the Trinity House. The limits are entirely a question for them, but subject to approval by Her Majesty in Council.

1419. Is the number of pilots licensed also under the Trinity House?—That is entirely a question for the pilotage authorities themselves.

1420. What has been the policy adopted by the

Capt. Sir *F. Arrow.*

8 April 1870.

the Trinity House with reference to the number of the pilots?—We endeavour to suit the number of pilots to the necessities of trade; I am bound to say that there has always been a sort of proviso that there were the interests of the pilots at stake, and that they should have the means of gaining a livelihood, and that we should not swamp the pilots by increasing their number to such an extent that they could not earn a fair living.

1421. You have endeavoured to proportion the number of pilots to the exigencies of the trade; and as the trade has increased, you have generally increased the number of pilots, have you not?—Yes.

1422. I think that of late years the number of pilots for the Thames district has not very much increased?—It has not increased at all; it has been the same for many years.

1423. And I think that in some of the outports you have more pilots than you want?—Considerably more. At the Isle of Wight there are really more pilots now than are wanted, or than really can properly attend to pilotage duties; but in some cases we have had to increase the number of pilots. At Falmouth, which is a very great port of call, and where vessels have been increasing yearly, there has been a small increase in the pilots.

1424. In other ports you are slightly reducing the number of pilots, are you not?—In other ports we are slightly reducing the number.

1425. I think that you maintain a certain authority over the pilots through the Trinity House with a view of keeping them to their work and under proper control?—We have a system of control which is not altogether a satisfactory one, but I think that on the whole it has worked very fairly. In districts like the Thames, we have paid superintendents; one at Gravesend, who was formerly in the navy; and at Dover we have another gentleman who is an old mercantile marine officer; both very excellent trustworthy men, who have the control of the pilots. It is one of those things which require a considerable amount of tact, and a good deal of energy and decision of character to deal with them, but it is done very satisfactorily, both to the pilots, I think, and to the Trinity House, certainly.

1426. Are the pilots at Dungeness under control in the same manner?—They are under Captain Cow, who is the superintendent at Dover.

1427. What are the arrangements made with regard to the vessels of the pilots at Dungeness?—There are four cutters belonging to the Trinity House for the pilotage service, and those cutters are entirely maintained and provided for by what is called "boarding money." In addition to the pilotage paid to each pilot there is a tariff of from one pound to three pounds allowed according to size and draught, which is called "boarding money," for putting the pilot on board, and none of that money ever goes to the pilots themselves.

1428. Is that a deduction made from the earnings of the pilots?—None whatever.

1429. Will you explain to the committee what it is?—The boarding money is paid by the ship in the Cinque Ports, and it never goes to the pilot at all. He charges his pilotage earnings by the foot, in the usual way, and that pilotage is paid to him.

1430. But it is a deduction from the pilotage rate, is it not, though not from the pilots' earnings?—No; it is an addition to the pilotage rate. The scale is for putting on board a pilot from either the cutter or from the shore, for 60 tons and under 150 tons, 1 *l.*; and then it goes on up to 1,000 tons gradually—1 *l.* 5 *s.*, 1 *l.* 10 *s.*, 2 *l.*, 2 *l.* 10 *s.*, and 3 *l.* 3 *s.*, which is the highest rate. That money is applied to the support of the pilot cutters when the pilots are supplied from the cutters, but when from the shore it goes to the owner of the shore boat, which takes it all.

1431. Are those cutters managed directly by the Trinity House?—Entirely.

1432. They are not under the control of the men themselves?—Not at all. That has been a matter of complaint sometimes on the part of the pilots, and they have thought that the Trinity House have acted, I will not say harshly, but not quite in accordance with their interests, inasmuch as they have had no voice in the management of the cutters. We on the other hand say that they ought not to have any voice in the management of the cutters; that our duty is to put them on board, and not to give them any option in the matter; and to induce that to be done, we pay the crew by head money; that is to say, that for every pilot shipped, the crew are paid 10 *s.* 6 *d.*, on a scale from the master downwards.

1433. Then the masters generally of those pilot boats are the servants of the Trinity House, are they not?—They are the servants of the Trinity House altogether. Everything is found for the pilots as well as the crew out of this boarding money; the whole of their subsistence while on board the cutter; bedding and every necessary is found for them.

1434. The inward pilots at Dungeness, are bound to take the first vessel that offers, I think, and there is no choice of pilots?—No. In the old time the Cinque Ports pilots managed their own cutter; but it was partly for the reason that there were complaints that men were apt, as perhaps was not altogether unnatural, to shut their eyes to a small ship, and take a larger one, that it was considered by the Elder Brethren of that day that it was better to do away with any chance of anything of that sort, and that the master of the cutter should be responsible.

1435. There is a deduction also from the pilot's earnings for the superannuation fund, I think?—They pay a poundage upon their earnings; there is a little complication about that; the old men, that is, the pilots licensed by the court of loadmanage pay 11 *s.* a turn, and the pilots licensed by the Trinity House pay 2½ per cent., which goes to what is called the pilotage fund.

1436. Is that levied upon all the ports within your jurisdiction equally?—It is.

1437. Do they get eventually the same proportion of superannuation, no matter what their contribution may have been?—No, I am sorry to say that it is not so; the pilotage fund is looked upon and was originated to a certain extent as a charitable fund, and after defraying the expenses of carrying out the Act, was for the benefit of pilots and their widows and families who were in indigent circumstances; and there is a rule by which no pilot who cannot disprove the fact that he possesses property to the amount of 75 *l.* a year in the Thames district, and 50 *l.* a year at the outports, receives any benefit from the pilotage fund, although he may have contributed to it during the whole of his lifetime.

1438. What is the average pension that is given to

to a pilot on superannuation?—The highest scale is 28 *l.*

1439. Then they do not acquire an absolute right to superannuation, but only if they are indigent and without means?—Yes, and the Trinity House are the judges of the case; if they make their claim for superannuation, then it is considered by the Trinity House whether they come within the rules or not and they get superannuation, or not, accordingly.

1440. Then this deduction from the earnings presses rather unequally upon the different classes of pilots, does it not?—Very unequally; I really think that it is a hardship upon the pilots who pay the greater amount of the money. In a place like Scilly, where the earnings are very small, it is very hard that they get the same benefit as those who have contributed very much larger sums.

1441. What is the amount of the superannuation fund now in the hands of the Trinity House?—£. 88,000.

1442. I presume that that is amply sufficient to meet the calls upon them, or even the future calls upon them?—It is a very difficult thing to say how an actuary might value it; but practically we find it quite sufficient, although it makes one very watchful and guardful of the interests of the fund. In licensing men and putting men on the fund, it is necessary to consider the obligations which may come upon the fund afterwards.

1443. Supposing that the change proposed by the Bill before the Committee be affected, and that pilotage be made voluntary in future instead of compulsory, will you state to the Committee your opinion as to the effect of it upon the earnings and the employment of pilots?—I do not think that it will affect the earnings of the pilots materially. There are no doubt some places where it will press upon them to some extent, but those places are more in the outport districts; places which although a man may not know when he goes into them, it is very easy to attain sufficient knowledge to enable him to go out of them; and as to which very probably a man might take a pilot in going in, and say, "Well, I can do without you going out." I think that in a place like Falmouth that would be the case, and also in many of the small outports; but I do not think that it would have the smallest bearing in London or in any large system of pilotage where there was a distance to go, and where the navigation was difficult. In fact my belief is that the difficulty of the navigation will compel pilots to be used wherever they are wanted.

1444. Wherever there is a difficulty of navigation, there you think pilots will be employed?—Then pilots will be employed just as much as before.

1445. I presume also that where the navigation is not difficult, there can be no reason for compelling the employment of pilots?—No; the only thing, I think, to be considered is the interests of the men. There is no doubt that you must consider the interests of the present pilots, but apart from that it seems to me to follow that to make a man take what he does not want cannot be right.

1446. In your opinion will it be at all difficult to maintain an efficient pilotage, notwithstanding that the employment of pilots is made voluntary, instead of compulsory?—I do not think that it will, if as far as I understand the principles of this Bill are carried out, which are that there are still to be a limited number of pilots, and that they are still to have the protection which the law has always given them against unlicensed men.

Capt. Sir *F. Arrow.*
8 April 1870.

1447. In your opinion, it will still be necessary to maintain a licensed corps, I presume?—Undoubtedly.

1448. And you think that unlicensed men should not be permitted to pilot vessels if a licensed man offered?—Certainly not. I am entirely of opinion that there ought to be men who have proved their qualifications, and have been licensed, to show that they do possess those qualifications, and if that is done, that they should be protected in their occupation against men who are not so licensed.

1449. And, I presume, also that you would say that a regulated price is necessary, that it would not be well to leave the charge to be a matter of bargain between the shipowner and the pilot?—No, not as long as there is a limited body, I think.

1450. Quite apart from the limitation of numbers, would you say that there should be a regulated price?—I think so; but I think that when you do away with compulsory pilotage you will probably have to revise the rates, and to make an increase for the winter, which, I think, would only be right and just.

1451. Apart from any special arrangements which may be necessary in consequence of the Bill, do you still think that there should be a regulated price?—I do.

1452. It would not be wise to leave the charge to be a matter of bargain between the shipowner or the master and the pilot, would it?—I think that there should be a regulated price.

1453. With regard to the limitation of numbers, do you think that in the event of this Bill passing, it would still be wise to keep within the power of the local authority the right to restrict the number of pilots?—I think so. I think that it should be left to the discretion of the pilotage authority to do as they have always done, namely, to consult really the wants of the trade, and that where they do want more pilots, they should be at liberty to increase the numbers, and on the contrary, that where they were not wanted, they should be able to decrease their numbers.

1454. In other words, you think they should pursue the same system as they have pursued in the past, of proportioning the number of pilots to the requirements of the trade?—I think so; I have no doubt that it will be a more difficult task, but still I think that it is one that may be carried out.

1455. In your opinion, will it be at all difficult to maintain the number of efficient pilots, provided the limitation of numbers be kept up?—I think it will not be so at all, but that where there is a limitation of numbers there will be plenty of men very ready and willing to take what is a profitable employment.

1456. Will there be any greater difficulty than there is now in keeping those men to their work and to their stations?—No; not so long as they are under the control of any authority who looks after them, because one of the obligations under which they take their licenses is to do what they are told, which is to consult the convenience of the trade.

1457. Will the fact of their employment being voluntary

Capt. Sir *F. Arrow.*

8 April 1870.

voluntary have some effect in increasing the energies of those men, and in keeping them even better to their stations than at present?—I think decidedly so, and I think that it will cause more emulation among the men.

1458. In other words, they will seek their employment, instead of being sought for?—I think it will have that tendency; I would not say that it would be so to the same extent in the London district, because I do not think that there is a margin there for much extension, but certainly at the outports and many other places in Great Britain they will seek for the ships, instead of the ships seeking them.

1459. As regards the pilots now stationed at Dungeness, will it have any effect upon them?—I do not think so; I think that nature has made a cruising ground at Dungeness, and I very much doubt whether you can improve upon that. I have heard it said that pilots will have to go down channel off Beachy Head to meet ships coming in, but I do not believe it. At Beachy Head you get a great, wide, open range, and there is less chance of falling in with vessels than there is at Dungeness, because there the navigation contracts into a channel of only nine miles between the Varne and Dungeness itself. Dungeness therefore seems to me to be the natural place where ships will pick up pilots, and I think it would be a mistake to take them further away down the channel, and get them into the sets of currents and of the tides sweeping the cutters away from their stations. I think that practice will show that the present cruising ground is a much better one than they would get by being taken away to the westward, although I am quite aware that it is an idea which obtains with some people that it will be necessary.

1460. It will be a matter at all events for the pilotage authority, whether and how far to extend the limits of the district, will it not?—That will be entirely a matter of practice and practical trial. If we found in practice that it was wrong, of course we should have to alter our conditions, so as to accommodate the trade.

1461. If you found that the trade required the pilots at Beachy Head instead of Dungeness, you would have your boats cruising there?—I would not say that there would not be difficulties because there are always difficulties in changing a well-organized system, but there will be no insuperable difficulties.

1462. The passing of this Bill may necessitate some changes in the districts, with a view of meeting the requirements of the trade?—It may.

1463. But there would be no difficulty in carrying them out, I presume?—Not at all.

1464. Do you think that there will be any greater difficulty than there is now, in making the pilots keep the sea in bad weather?—There will be a great difficulty, I dare say, if their employment falls short, but I do not think that it will fall short. I believe that the trade require pilots, and that the employment will be there, and if so, the vessels will go to sea.

1465. Just now you stated that it might be necessary to make some change in the pilotage charges, as between the summer and the winter seasons; at present the charges are the same, both in summer and winter; are they not?—Yes. It may be desirable to make a winter rate, and a summer rate, and I believe it is done in some places; I think at Cork they have a winter and a summer rate.

1466. I presume that is upon the supposition that there might be less inducement to take a pilot during the summer season, in consequence of the charge being the same as in the winter?—Yes, but I think that after all the stress will be laid much more upon the pilotage authority than upon the pilot. If we had the same limited number of pilots, and the same means of putting the pilots on board wherever it may be, it will lie mostly with the pilotage authority to insist upon the pilots being at sea; but I do think that it is fair that when every man is not obliged to take them, they should receive more in winter time, when they run greater risk, and when they have to undergo greater discomfort and inconvenience altogether. I think it is right that in the winter they should be rather more highly remunerated.

1467. You have, in fact, in the North Channel an experience which is almost that of a voluntary system, have you not?—It is a voluntary system, as I think I mentioned the other day. There is only 10 per cent. of the vessels that pass through the North Channel that are compelled to take pilots.

1468. Therefore the pilots who are maintained there are, in fact, under the voluntary system, are they not?—They are, in practice, under the voluntary system.

1469. And do you find any greater difficulty in supervising them than under the compulsory system?—I am inclined to think that we have had less trouble with regard to North Channel pilots, if it is fair to draw the line.

1470. In fact, their employment being voluntary, is a great inducement to them to keep their stations, is it not?—It certainly has not given rise to difficulty or trouble.

1471. Have you heard any complaints of the loss of vessels in the North Channel arising from the non-employment of pilots?—I have not; none have come before the Trinity House.

1472. Have you considered the effect and extent of what I may call the compensation clauses in the present Bill as regards the future of the pilots?—That is a very difficult question to answer, and it must be a mere matter of opinion. I should be inclined to say that in districts like the Thames, or if this Bill passes, like the Mersey or any of the large districts, it will be almost nugatory. There may be compensation required in the case which I heard the other day about the pilot boats of Liverpool, and the arrangements which the authorities had allowed there, but I do not think that, as regards pilotage of the larger districts there will be a loss, although in some of the outports there probably may be some.

1473. You think that in some of the outports it may turn out that after this Bill has passed there may be a larger number of pilots than are necesssary for the trade?—I think so. In the ports which are easy of access they might lose some 15 or 20 per cent. of their earnings.

1474. And thereupon it may be necessary to withdraw a certain number of them?—I think it is possible unless there is some extension of trade which compensates for it.

1475. In your opinion will there be any difficulty in withdrawing a certain number on the principle contained in this Bill?—I do not think that there will. It seems to me to be a very fair position which you offer to them.

1476. At

1476. At present, as you have already told us, their prospect of superannuation is a very small one?—Not of the men at the outports who will be affected by this measure; their prospect of superannuation, I think, is a very good one; they are pretty safe to get superannuation, because they are not possessed of property at the end of their period of service which will exclude them from the benefit of the Pilotage Fund.

1477. But the superannuation which they now receive is not a large one, is it?—£. 28 is the outside which is paid to any one.

1478. So that supposing that any of those outports, it were now necessary to withdraw a certain number, it would not be a very extensive or expensive operation?—I do not know how the Treasury would calculate that, but I do not think that the compensation would be based upon what the man's superannuation would be, but rather upon what he is losing.

1479. But also having regard to the superannuation which he would receive after perhaps a few more years of service?—Yes; that would be an element, no doubt.

1480. And in your opinion it would not be difficult to retire some of the older men upon that supposition?—I think not; nor would it be a very onerous burthen upon the public exchequer.

1481. In the case of the Thames district, is it in your opinion probable that there would be any call for superannuation?—I think not; my opinion is that the necessities of the Thames require pilotage so entirely that there would not be any material loss of employment.

1482. You have had some experience as to the navigation in other parts of the country about the coast, have you not?—I have a general knowledge of nearly all parts of the coast.

1483. In your opinion, are there any districts round the coast, where the navigation is more difficult than in the Thames?—Decidedly not.

1484. Do you know the navigation of the Mersey up to Liverpool?—I am not very well acquainted with it; I cannot call myself a pilot for the Mersey, but I generally know the navigation by the chart, and from having been several times there.

1485. Are there, in your opinion, any exceptional circumstances as regards the Mersey which would justify us from exempting it from the operation of the Bill, assuming it to be applied generally to the coast round the country?—I do not think so; there is no doubt that the navigation of the Mersey presents difficulties; in the first place, it is a place which you can only enter with a heavy draught upon a flowing tide; and another difficulty is that it is a lee shore, when the winds are in from the north-west, round to about west south-west; but then there is a fine stretch of water outside, between the Calf of Man and Anglesey, and there is plenty of room for ships to keep the sea, and therefore I do not think there is any case made out for the Mersey more than there would be for any other place; no doubt it is a lee shore, and it can only be entered with a rising tide, and therefore the ships for a certain time must keep to windward, and must keep to sea; but I do not think there ought to be any difficulty in doing so; and I think that if you look at the losses which have occurred in the Mersey, one is borne out in saying that it is not worse than other places.

1486. But just in proportion, I presume, according to the argument already used, as the navigation is difficult, so will the employment of pilots under the voluntary system be necessary and certain?—Quite so; to my mind I should say that Liverpool would not suffer at all; if I was master of a ship I should not attempt the port of Liverpool under such circumstances without a pilot.

Capt. Sir *F. Arrow.*
8 April 1870.

1487. Do you think that there is any reason for making a special exemption in the Hull river, and taking it away from the operation of the Bill?—Decidedly not, because the moment you are inside the Humber, you are safe.

1488. Will you take Falmouth and compare it with Cork, which is a voluntary district?—Falmouth is perhaps one of the easiest places in the whole of the channel.

1489. That is one of the places then where the employment of pilots may fall off in consequence of the pilotage being very easy?—I think it is probable; but I may say that I think that even as regards Falmouth we may qualify that because it is a very large port of call, and the very fact of their being many vessels in it makes it very difficult for a master of a ship to find a berth, or to know where his berth is, and the probability is that he would take a pilot who would know the state of the roadstead, and the vessels in it, as a matter of assistance to get him into a berth. But I think where the pilot would lose would be that a man going out would say, "I am here all safe, and I am berthed, and I can find my way out."

1490. I suppose the condition of Falmouth is very much the same as that of Queenstown, they are both very easy of access, are they not?—Yes; Queenstown is a longer course if I may call it so to get up.

1491. But it is also very much a port of call for vessels proceeding elsewhere, is it not?—Yes, both of them are so.

1492. Then, in your opinion, there are no ports or estuaries round the coast which ought to be dealt with exceptionally in this Bill?—Not to my knowledge; I do not think that I could say that there was one.

1493. Assuming therefore, that the voluntary system answers in the Thames, it will answer in every other part of the country, will it not?—I am very much inclined to think so; I think that it is the most difficult, and the most protracted navigation; there is 120 miles of it.

1494. Then do you think that the maintenance of compulsory pilotage is not necessary, either as a means for adding to the safety of life, or for the convenience of shipowners?—I think that the question as to the safety of life has been settled long ago unless it is to be re-opened; because when you exempted the first vessel you did away with that argument, and I have never considered it in that light. But practice is much better than opinion in those cases; and if it could be shown that the want of pilots had occasioned greater loss of life in those vessels there might be some argument against it; but I am not aware that it is so.

1495. You are not aware of any such cases in districts where pilotage is voluntary?—They are not within my knowledge.

1496. Mr. *Graves.*] In one of your answers on Tuesday, you stated in reply to the honourable Chairman, that your opinion was, that pilotage should either be compulsory, or should not be compulsory at all, and you gave, as a reason

Capt. Sir *F. Arrow.*

8 April 1870.

a reason for that statement, that you knew, and that it must be known to all, that it is impossible to go backwards in the way of imposing a heavier liability upon the trade and shipping of the country?—I did; I think that having granted those exemptions, and a great many being competent possibly after having spent some amount of time in acquiring knowledge for themselves, it would be impossible to go back, and that it would be a great hardship to go back.

1497. Did you arrive at that conclusion upon the ground that you do not see your way clear to go back?—I would not go back; I neither see my way clear to go back, nor would I advise going back if I did.

1498. Is not the cost of maintaining the pilot service of this country now borne by its trade and commerce?—The ship pays for the pilot, undoubtedly.

1499. You say that you would be imposing a heavier liability upon the trade and shipping of the country by going back; is not the cost of maintaining the pilot service of the country at present borne by its trade and commerce?—It is.

1500. Then in what respect would going back alter it?—Because so many more vessels would be obliged to take pilots, and therefore the trade would have to pay more pilotage.

1501. So that it is because fewer vessels would take pilots that the trade and commerce would be relieved of the cost?—I think so.

1502. Do you consider that a licensed pilot on board a ship is a protection to life and property?—I think that the presence of any qualified person on board a ship who has a special knowledge which another man does not possess must be a protection.

1503. Do you think that a ship would be safer in the hands of a licensed pilot than without?—I think, decidedly, that a ship would be safer in the hands of a competent man; I will not say whether it is to be a licensed pilot or not.

1504. Do you see no distinction in qualification between a licensed and unlicensed man?—Yes, there is this difference; that one man has his diploma, and the other has not.

1505. Would you not prefer a doctor to a quack, any day, if you wanted advice?—Undoubtedly.

1506. You have stated that you see no distinction between life and property in a coaster and in a ship of the largest value, and you argue from that that because one vessel is exempt from pilotage, there is no reason why the other should not be exempt?—I do, and I cannot help thinking that it is a legitimate argument, because you cannot navigate a ship without hands on board of her of some sort, and if the State's business is to protect life, it is as much its duty to protect life on board small vessels as on larger vessels.

1507. Are not the exemptions under which a coaster of 60 tons is allowed to go without a pilot largely, owing to the frequency of the departure of such a vessel from a port, and the supposition that her master is perfectly familiar with all the dangers of the navigation?—No doubt, that was the ground of the original exemption.

1508. And that would not apply to the largest vessel, would it?—Not in the same degree, certainly.

1509. So that there would be probably a distinction, and a reason, for making the exemption in one case and not in the other, would there not?—I do not even admit that. I say that if the State is to satisfy itself that any man's life requires protection, the man on the coaster has as much right to be protected as the man on a large ship has. The State has no knowledge of it, but we ourselves know in practice that the most ignorant men are frequently the little traders about the coast.

1510. I think that you are of opinion that as a rule, all prudent masters would take pilots in narrow waters difficult of navigation?—I am.

1511. Would you consider that the giving of an option to a master or owner is in any way throwing overboard a safeguard to life?—Then, I think you come to the principle of whether the State's business is to do this or not. If it is not, I do not see why it should not be left to the master and the owner of the vessel. Naturally one's self-interest is to carry your passengers, or to carry anybody who is with you, safely; and I do not think that you can have a greater incentive than that of your own actual interest.

1512. I suppose that you are aware that a great number of the losses which occur annually round our shores occur in vessels badly found?—I am afraid that it is too true.

1513. Would there not be a fear that an owner who would send his ship, as we know he does, badly found, would be likely also to send her to sea without a pilot?—It is quite possible. There are exceptions to every rule.

1514. Would not the tendency be in that direction?—No, I hope that the tendency would not be in that direction, although there is a possibility of it.

1515. You are probably aware that under the Merchant Shipping Bill it is proposed to treat as a misdemeanant any owner who sends his ship to sea unseaworthy. In the case of a vessel which was lost, and which was proved to be lost through the want of a pilot, would you consider that an unseaworthy act on the part of the owner?—I do not see exactly the inference that it would make a vessel unseaworthy. If I might ask a question, what is seaworthiness? I am afraid no limitation would make a ship seaworthy under some circumstances.

1516. Have you no fear in your own mind that reckless owners would induce their captains to sail their vessels without pilots?—I am sorry to say that a reckless owner would do anything. I am afraid it is perfectly true that they do so sometimes

1517. Mr. Farrer has told us in his evidence that some of the vessels going in and out of the port of London often go in and out under the charge of unlicensed men; is that so?—I do not think that I can answer that question, or I can only answer it in this way: that I believe it is so from hearsay, but the pilotage authorities are the last people to hear of these sort of things. The remedy does not lie with the pilotage authority; we have no power to prosecute an unlicensed man; it rests with the pilots themselves.

1518. *Chairman.*] I think the employment of unlicensed pilots is only between Gravesend and London?—It is very common, not only between Gravesend and London, but between Gravesend and through both the north and south channels.

1519. Mr. *Graves.*] Why is that?—I believe that it is a question of price; I believe that in many cases the unlicensed pilots do it for very little.

1520. So that price has something to do with the

the selection of a pilot?—It has in this way. I stated, in answer to the honourable Chairman, that I thought there must be a revision of the rates to some extent.

1521. Are there not fewer pilots now in the Thames than there were ten years ago?—There are exactly the same number; they have never been altered.

1522. The return which is forwarded from the Trinity House, and presented to Parliament, gives 918 ten years ago, and 889 now; is that correct?—That is including all the pilots round the coast; I understood the honourable Member to speak of the Thames. We have not 918 pilots in the Thames.

1523. Have you the same number in the Thames now as you had ten years ago?—Exactly the same; but they are decreasing round the coast.

1524. I have seen it stated that the number of applicants for pilots' licenses is very considerable; is that so?—There are 48 applications now for licenses in the Thames between London and Gravesend.

1525. Is there any reason why those persons should not receive licenses?—The principal reason, I think, against it is that we have not considered hitherto that the trade wanted more, and that there had been sufficient to supply the trade; and that to put a larger number on would be merely diminishing their earnings without being a convenience to the trade of the port. We should not hesitate a moment if it were shown to us that the trade required more pilots.

1526. Do you consider that the increasing exemptions have anything to do with the diminished demand for pilots?—I should think that possibly it had something to do with it in some places, but I do not think it has really anything to do with it in the Thames.

1527. As a fact, do you know whether the unlicensed men have been increasing or decreasing for the last 10 years?—I am afraid that I have no data upon which I can answer that question, and I do not know anything about it.

1528. Are you quite satisfied with the efficiency of our present pilot service in the Thames?—Yes, I think that it is a very well conducted service, and we are perfectly satisfied with its efficiency; I should be sorry to say that there is not room for improvement, or that there is any finality in it; but both the trade and ourselves, I think, have every reason to be satisfied with it.

1529. Then if all questions of the liabilities and of the anomalies, which have been alluded to, could be settled, would you be satisfied to allow the present service to remain as it is?—I presume that the question is put upon the supposition, that the liability clause and the anomalies could be removed without doing away with compulsory pilotage. That is a very difficult question to answer, because one has a natural leaning to what one has seen in operation for many years, and with some success; but I think, looking to all views of the case, that I should be rather inclined to do away with it; I think that trade can better protect itself than the Government can do it for them. It would make great changes no doubt.

1530. Then have you come to modify your opinion without reference to any undefined question of the master's responsibility, or the pilot's duty at the present moment?—Quite; I did not take that into consideration at all; it is an argument, but it is not one upon which my opinion has been formed.

1531. Is there not a general impression that when a pilot goes on board a ship the master is free from responsibility?—I think that that I said the other day that it very much depends upon the pilot. A man when he saw one of your Mersey pilots or one of our Thames pilots come on his deck, would I think feel that he had a man in whom he might put thorough confidence, and he would feel that he was released from responsibility. Very few commanders of vessels are really men who ever study the law of these cases, or are competent, not from want of ability, but from not being well acquainted with the subject, to form an opinion upon what their legal position really is, if there is any legal position, which seems to me to be a doubtful point; but I am satisfied that the character of the class of men whom they take very much affects the question; I am sure that it would be so with myself. If I had a man who I felt was entitled to confidence, I should refer to him, and consider him in a very different position from a man who was not his equal perhaps in other ways.

1532. Am I not right in supposing that the opinion of the Elder Brethren of the Trinity House is, that the presence of a licensed pilot does not free a master from the obligation to attend to the safety of the vessel?—Certainly.

1533. I have here a letter written by the Secretary of Lloyd's in the case of the "Spindrift," on the 27th of January; the concluding paragraph of that letter is this: "My committee desire me to say that the whole of the facts brought out in this case confirm them in the opinion which they have entertained for some time, that the period has arrived for the abolition of compulsory pilotage, and that the Acts of Parliament by which a captain is compelled, in certain waters, to hand over the charge of his ship to a pilot, and permitted to throw off all responsibility for her safety, should be repealed;" are you aware of any such Acts of Parliament?—No.

1534. As far as you are able to state, that is a misapprehension?—So far as I am able to state, that is a misapprension. My own belief, sorry as I am to condemn any man, or to express any opinion upon any person's conduct, is, that I do not think that the captain of the "Spindrift" did his duty.

1535. *Chairman.*] Was not that a deduction drawn from the law laid down by the magistrate in the inquiry into the conduct of the master?—I would rather that you would not ask me questions of law, and particularly as to the case of the "Spindrift," for it is a very difficult one.

1536. Mr. *Graves.*] Where do the compulsory waters of the Thames cease?—At Dungeness.

1537. Outwards as well as inwards?—Outwards as well as inwards.

1538. Has it always been so?—No; the pilots were licensed only as far as the Downs; a certain number still only hold licenses to the Downs; and therefore, vessels conducted by those pilots are left by them in the Downs, and are really subject to be boarded again. If a pilot offered again, and insisted upon going, that pilot could make the ship take him on to Dungeness; but in practice it is not so. The pilots work, I believe, in a pretty friendly manner together, and nothing of that kind occurs. It is for their mutual benefit that ships should get rid of their pilots in the Downs, or off Dover, or somewhere where it is easy

Capt. Sir *F. Arrow.*

8 April 1870.

easy to put them ashore in a boat, rather than that time should be lost in seeking a cutter.

1539. Can you give the proportion in which pilots leave vessels in the Downs outward bound?—I should think a very much larger proportion of vessels leave their pilots in the Downs, except they are in charge of a London pilot, who has a license to the Isle of Wight.

1540. So that, in practice, there would be no disadvantage if the compulsory waters of the Thames outwards ended at the Downs, as in 1854?—Certainly not, because they have an anchorage under their lee, and they do not want them.

1541. You have now some number of pilots who have no power to take a vessel beyond the Downs?—I think that there are 21 who cannot take a ship further than the Downs.

1542. Am I correct in supposing that you have rather dispossessed your mind of the consideration of the question of the liability of the owner, and the importance of defining that question, in the conclusions at which you have arrived with regard to the abolition of compulsory pilotage?—I think that it has been one of the principal things which has drawn one's attention towards it, but I will not say that it has affected the conclusion, because I think I stated before that it did not affect the conclusion. It was one of the points which was very strongly brought before me.

1543. This Bill proposes to throw the liability entirely upon the owner, does it not?—It does, I believe.

1544. Have you thought at all whether it would be possible to introduce any system which would still throw the liability upon the owner without destroying the compulsory pilotage in a port where it was deemed necessary?—I fancy that that might be done, in this way: that when a pilot was once shipped it should be tantamount to his being placed upon the ship's articles for the time being. He would be the servant of the owner, and, as the servant of the owner, the owner would be liable.

1545. Do you consider it any hardship that an owner should be liable for the acts of a pilot under a compulsory system?—I think that it is a hardship that he should be compelled to take a man who gets him into grief afterwards, and then should be compelled to pay for it.

1546. Then in what respect would this be different under the Bill now under the consideration of the Committee?—He is not compelled to take him.

1547. But if a prudent man would always take a pilot, and it was imprudent to go without one, would you not then be giving a man an alternative which would render life insecure?—It is rather the horns of a dilemma certainly, but I do not think that he could do without a pilot; at the same time there must be a difference between the obligation of the State saying, you must take this man whether you like him or not, and the owners taking a pilot whom he chooses to take as an assistant.

1548. But apart from the undesirability of throwing a man into a position to do an act which you have admitted to be imprudent, in what respect would he be able to select better under the operation of this Bill than under the present compulsory system?—I do not think that he would have any better option at all as regards such a district as the Thames, or as regards such a district as the Mersery, on his inward pilotage: I do not see how it is to be done, because the pilotage authority supply the pilots for them; but in cases like the outports, and in any other places, I do not see why, if he preferred one man to another, he should not employ him.

1549. But supposing that you were acting under what is called a regulated system, in which every man took his turn outwards, what more choice would you have under the free system than you have now?—There is no such system, as far as the Trinity House is regarded, because the choice of pilots is recognised by the Trinity House in all their districts; we recognise that any owner can choose his pilot, and I am sorry to say that it gives rise to a great deal of heartburning among the pilots themselves, but it has long obtained on the river Thames.

1550. *Chairman.*] Not inwards?—No, outwards.

1551. Mr. *Graves.*] But supposing the case of a port where there is that regulated system, by which every man takes his turn, you would have practically no more selection outwards than you have now?—Of course not.

1552. Are you aware, that by the law of New York, the liability attaches to a shipowner even though he has a pilot under a compulsory system on board?—I have heard so.

1553. As a matter of principle, is it not your opinion that a pilot service is, to a very great extent, maintained for the good of the whole community?—Undoubtedly it is maintained to a great extent for the good of the whole community, and to find a livelihood for the pilots themselves.

1554. Is there not some equity in the principle, that where everyone receives a benefit, everyone should contribute to the expense of the benefit?—Upon my word, I think I should want a wig and gown to be able to answer those questions; I do not feel equal to them.

1555. I simply wish to ask you, as a matter of equity, whether as regards that which is kept up for the good of all, there is not a fair reason why all should in some measure contribute to it?—Yes; I think if you can establish that fact, you would have a very strong argument; but I apprehend that the great majority of those persons for whose good it is kept up, object to its being kept up in that way; I think that, as a body, the shipowning interest do not look at it in that light.

1556. Are you aware that there was a Bill introduced by the Board of Trade last year, carrying out that principle of making it compulsory upon all to pay, but leaving it optional to employ a pilot or not?—I know there was such a clause in the Shipping Bill of last year.

1557. May I ask you whether you were consulted at all with regard to that Bill?—Not at all.

1558. Are not the lights of this country (coming to a subject with which you are perfectly familiar) maintained somewhat on the principle that they are for the benefit of all, and that all should contribute to them?—Yes, they are certainly an analogy as far as that goes, inasmuch as they are maintained for the benefit of shipping and commerce, and are paid for by shipping and commerce.

1559. For instance, a steam vessel going from Liverpool to Queenstown, though hugging the Irish coast the whole way down, would probably

pay

pay for Lundy, even though she never saw it?—Yes, I am not going to defend all the limits of lights.

1560. A vessel going from Hull to Norway, I believe, in practice, pays the whole of the lights on the east coast of England?—Yes, but I think I may say in the presence of the Chairman, if he will permit me, that that reproach is one which will shortly be removed. The Trinity House have been consulted on this point, and I hope a very satisfactory solution will very soon be given to you by the Chairman.

1561. You know something of the lights in the Basses Straits, of which we have heard so much in the last few years?—Yes, the Great Basses, off Ceylon.

1562. I think last year Parliament passed an Act for erecting lighthouses to protect those Straits?—To erect a lighthouse on the Great Basses Rock.

1563. A toll was levied upon all vessels going within a certain radius of those lights, I believe?—I have never seen the Order in Council, which stated the limits, but "all ships that derive benefit," is the usual term used.

1564. May I ask you if a vessel going within 1,500 miles of that light, receives any benefit from it?—It depends where she is going to afterwards.

1565. Supposing that she never comes nearer than 1,500 miles?—I should hardly think that she does derive benefit from the light in that case.

1566. Then by that Order in Council, vessels going within 1,500 miles of the light (I believe I might have extended that distance, but I will take that distance to be sure) pay toll to that light?—The exact distance between Cape Guardafui and Point-de-Galle is 1,760 miles.

1567. *Chairman.*] Are you aware that that Act passed last year unopposed by the shipowners?—I daresay it is a very fair question for discussing in Parliament, but I very much doubt if it has anything to do with me; I think I may venture to say this, that I believe that this is not a new point; that the toll that was ordered to be levied upon the Great Basses light is identically the same toll as was levied upon the Little Basses Light Ship, which lay some 18 or 20 miles to the north of it.

1568. Mr. *Graves.*] Is not in practice and in common sense the principle really the same in the case of a vessel going within 1,500 miles of a light which is obliged to pay for the support of that light, as in the case of the ship which may desire at one time to go out without a pilot, and at another time in bad weather requires the services of a pilot?—I think the argument is against the light certainly.

1569. The duties, I believe, of the Pilotage Committee of the Trinity House are of a very onerous and responsible character?—They are.

1570. They have personally to regulate and superintend the pilotage business of the Port of London and they have to see that a sufficient staff is maintained, have they not?—That is so; and not only the Port of London, but every port under our jurisdiction.

1571. I presume that the committee is composed of men of great nautical experience?—Yes, they are a committee of the Elder Brethren, all of whom have considerable nautical experience.

1572. May I ask if that committee, to your knowledge, was consulted with regard to the principle of this Bill?—No.

Capt. Sir *F. Arrow.*

8 April 1870.

1573. Do you yourself think that an important change of this kind should have been introduced without consulting such a local authority as the Trinity House, or the Mersey Docks and Harbour Board?—I think that undoubtedly there would have been stronger ground for the proposers of the Bill if they had been so consulted; but I believe, after all, it is more a question for the trade than for the pilotage authority, who have to supply a want, in whatever way that want is to be supplied.

1574. May I ask, for information, if you yourself at all consulted the Pilotage Committee, with regard to this question?—No, not at all; I am Chairman of the Pilotage Committee, as I am of all other committees, *ex officio*, and when I think it is necessary, or when they think it is necessary, that I should sit with them, I do sit with them. No important business ever occurs in any committee with which I am not associated, and therefore if they had any discussion among themselves I should have been quite aware of it. I think I ought to say that this would be considered a question which would be beyond the competence of the Pilotage Committee to deal with. It would be a question, if it all, for the Board.

1575. Have you taken the opinion of the Board upon it at all?—We have not; we have not been asked. The Board of Trade have not referred to us for our opinion upon the question.

1576. I believe that in the year 1862 the Board recorded its protest against the abolition of compulsory pilotage?—I forget upon what question it was, but at any rate it was tantamount to that; that the Board did object to the abolition of compulsory pilotage.

1577. Has that record ever been altered to the present time?—No.

1578. *Chairman.*] Their opinion was not asked upon that occasion, I think?—No, I do not think it was.

1579. They volunteered their opinion upon that occasion, did they not?—I think so.

1580. On the present occasion they volunteer no opinion, do they?—They volunteer no opinion.

1581. Mr. *Graves.*] Would you see any objection to leaving to local authorities, properly constituted, the determination of what principle or what system was best suited to their own port?—I think there would be an objection to that in practice, and that it is far better to have one rule. It is one of the things that are charged so often against us, as English people, that we are too apt to be local in our opinions and habits, and to have such varieties that nobody else can understand them but ourselves, and I hardly think that that would be wise.

1582. Do you see any objection to allowing local authorities, properly constituted, to examine their own pilots for licenses?—They do so, I think; they examine their own pilots.

1583. And you think that the local authorities may fairly be entrusted with the duty of examining their own pilots?—I think so; I have no data to say otherwise. So far as I am aware they have done their duty very properly.

1584. You have stated that you consider that the navigation from Dungeness into the Thames is the most difficult in the United Kingdom?—I do.

Capt. Sir *F. Arrow.*

8 April 1870.

1585. Do you know the Tyne at all?—Yes.

1586. Would you compare the pilotage of the Tyne with the pilotage into the Thames?—Certainly not; the pilotage of the Tyne is very short. A man comes up to the Tyne, and he is very soon out of his difficulties; in fact, his difficulties do not begin until he gets on to the bar.

1587. A pilotage service suited to a port like the Tyne would not be suited to an estuary like the Thames, would it?—Certainly not; I am not giving any opinion on the principles upon which that should be conducted, but I am saying that the pilotage of the two places is entirely different.

1588. I do not know whether you have sufficient knowledge of the Mersey to be able at all to draw any comparison between the pilotage of the Mersey and of the Thames?—I think with the help of your chart I have quite sufficient knowledge.

1589. Have you been frequently in and out of the port?—Yes, often.

1590. You have stated, have you not, that you saw no reason for any special exemption in the Mersey?—If I may recall your mind to what I said, I gave as my reason that there was plenty of sea room outside for a vessel to keep to windward until she could run in. No doubt it is a lee-shore, and some of the worst weather that we get upon our coast, and you want a rising tide to go in; but still you have plenty of sea room, and you have the means of keeping to windward.

1591. Are you aware that there is no anchorage at all outside?—I am quite aware of that.

1592. Do you think, under all circumstances, that a ship so situated would be able to keep off the banks?—I think generally they would, with the knowledge of men who understand the tides and the positions.

1593. Are the channels of the estuary of the Thames shifting channels, or are they what you would call permanent channels?—I think you may, for practical purposes, call them permanent channels. There are continual changes in them, but these changes are not of that extreme nature that would lead you to say that they are very shifting channels. There is always a channel, although I am quite aware that a spit of sand will grow in one place and in another, and other places will close up, and that is particularly so in the estuary of the Thames, and all along our east coast. There is a considerable amount of change, without any radical change.

1594. Are you at all conversant with the shifting character of the channels of the Mersey?—I am not, but I think I may say that any serious change in your buoys or lights in the Mersey is always sent to the Trinity House for the statutory sanction according to the Act, before it can be carried out, and therefore any large change is a thing that we should be cognisant of. Now, I am not aware that there are such large changes, at any rate they have not been brought before us.

1595. The Mersey Docks and Harbour Board has the control of the buoyage, and lighting of the whole of that estuary, has it not?—As a local authority, but they must have the sanction of the general lighthouse authority for all they do.

1596. Is there any reason why you should not allow them to have the supervision of their own pilots under the Board of Trade in the same way?—I think they have that now; that, again, comes under the general question whether it is a good thing that there should be a variety of system which is so very often charged against us.

1597. The Committee have had before them the system at work upon the Thames; are you aware that it has been stated that there are seven or eight different systems at work upon the Thames?—That arises from bygone circumstances and changes of authority. It is not a different system, but there are several classes of pilots.

1598. Are you quite satisfied that those various systems work in harmony, and that there are not conflicting interests which do damage altogether as a whole?—I hardly think that, although I think they may be improved with some advantage.

1599. Has the Trinity House ever made any recommendation to the Board of Trade to consolidate and harmonise the various systems?—We have not.

1600. You have stated, have you not, that you think that the option to take pilots on the part of a captain, will not materially alter the income of the pilots?—I think it will not.

1601. Is not this a little inconsistent with your view that the increase of steam is tending to diminish the necessity for pilots?—It may be to some extent, but I still think there will not be any very great alteration, taking into account the requirements and the increase of commerce. You may say exactly the same thing with regard to every light and every buoy you put; everything you place is an assistance to navigation; you cannot put a new light at a point where there was not one before; you cannot put a buoy at a point or at some spit or corner which does not all go to some extent to assist a man to navigate his ship, and there cannot be a stronger instance than there is in the chart which hangs upon the wall of this room. There are three light vessels in the Bristol Channel chart, which have been put within the last eight years; surely that renders the navigation very much easier than it was before those light vessels were put there. It might have been necessary at one time to have compulsory pilotage, and I can quite understand that when our shores were comparatively unguarded, as they used to be, compulsory pilotage was certainly much more requisite than it is now.

1602. If there should be a loss, I understand you to say that it could be recouped by reducing the number, by superannuating certain men?—I think so, but I said that I thought that applied more to the out-ports than to the large districts.

1603. And you think that there would be no difficulty in retiring those men?—No; there can be no difficulty in retiring them if they have not employment.

1604. Upon what principle would you select out of a body of 200 men, say 25 men in the prime of life to retire?—That is not a case that I think ever would occur; I think you would find that there would be a necessity of filling up vacancies, and there must be varieties of ages in all large numbers, and you naturally would retire those whose age was making them less and less able to do their work easily.

1605. Then would you reduce them against their will?—I do not think you would have any option but to reduce them; it is a sort of "Hobson's choice"; if they could not get employment they would have to be reduced.

1606. You have spoken of a superannuation of 28 *l.* a year, which I believe is the maximum of Trinity House superannuations, the minimum being

being 10*l.*; would there not be excessive injustice in saying to a man who is earning his 200 *l.* a year, "You shall be superannuated, and reduced to a maximum of 28 *l.*, and a minimum of 10 *l.* a year"?—Yes, I think there would be; I should not compensate upon that ground myself.

1607. How many apprentices has the Trinity House under its charge?—There are 90 apprentices under the Trinity House.

1608. Under this Bill those apprentices who, perhaps, are on the verge of passing for a license, are entirely excluded, are they not?—I think they are.

1609. How many years, as a rule, do those men serve?—Seven years; I do not know whether the honourable Member quite knows it, but there is no such thing as apprenticeship in the estuary of the Thames. We have no sea apprentices whatever there; those are all at the outports, Plymouth, Falmouth, the Isle of Wight, and so on.

1610. I will take the case of Liverpool, where a servitude of seven years is requisite; and I will ask you whether you do not consider it unjust to seek to compensate the licensed pilot, and to ignore altogether the man who, for six years, has been serving his time under a compulsory system?—I think he is entitled to consideration; but I would make one statement which I think, perhaps, clears up the point with regard to the apprentices, as far as the Trinity House goes. They are very small in number; they are not 10 per cent. of the whole number; but in the Thames district there is no apprenticeship ever served by the pilots as pilots. They come for examination, and their qualifications are that they should have been mates or masters of a square-rigged vessel for two or three years; and then they must prove their thorough knowledge of the river, and their ability to handle a ship; but they have never served any apprenticeship whatever on the river. The only men who do serve an apprenticeship are what are called the watermen pilots, and that is an obligation of the Watermen's Company, and not an obligation attached to their pilotage position.

1611. But their apprenticeship would simply be in a little boat on the river, would it not?—Their apprenticeship would be an aprenticeship to another waterman pilot navigating steam vessels.

1612. Do you consider it important, that a pilot should spend some years in a square-rigged vessel?—Yes, I do decidely; I think that that is of very great importance, though less so now than formerly, certainly, because there is more steam; some few years ago, when I was at sea, I cannot conceive how any man could be a pilot without the knowledge of how to handle a square-rigged vessel.

1613. Would that remark apply to any port?—I think so.

1614. Mr. *P. Wykeham Martin.*] You say that in the North Channel, only 10 per cent. of the vessels are compelled to take pilots; but if a vessel has one of those pilots on board of her own free will, and runs into another vessel, and runs down a barge, for instance, she has the benefit of being in compulsory waters, and the pilot, and not the owner, would then be liable, would he not?—Yes, if she had the pilot on board, but it is a doubtful question in law.

1615. Do you not think that very often the pilots are taken on board those vessels, I will not say with a view to run down vessels, but in order that if such misfortunes should happen, the owner may be exempted from liability?—I believe nobody disputes that position, because the owners themselves say so; they say that they take pilots on purpose to protect themselves from accidents.

1616. Were you present on that deputation which Mr. Farrer has mentioned to this Committee from the owners of small craft in the Medway and Thames?—I was not present.

1617. You stated, I believe, that the distance was so great that a vessel cannot come up the Thames in one tide; did you mean if a vessel came out of the Medway into the Thames, and through the Yantlet Swash, she could not get from there to London in one tide?—No; I was speaking of the whole of the estuary of the Thames from Dungeness.

1618. But the practice of those vessels is to come out of the Medway from about Maidstone to the junction of the Thames and Medway in one tide, and to come up to London in another; is it not?—That is so, they take the tide up.

1619. Are you acquainted with those lime barges, which are the vessels for which I am principally interested?—I know them.

1620. They are seagoing vessels, are they not?—Yes.

1621. They are not vessels that "go lumbering about," as Mr. Farrer worded it; are they?—To a certain extent they go lumbering about, but they are not the worst of the class by any means.

1622. They can and do sail races round the Nore, and so on?—Undoubtedly, and they are very fair craft; but still they are not of that peculiar build which you would call excessively handy.

1623. I suppose you have heard great complaints, that those vessels get cut down by steamers with pilots on board?—I have heard of it frequently, because I am a member of the "Thames Conservancy Board," and I very frequently hear of those things there, though I do not hear of them at the Trinity House.

1624. Do you happen to know the case of the "Belvedere," where a pilot was on board the steamer "Ibis," and he said he thought he should either touch the ground himself, or run down a billyboy, or run down the barge called the "Belvedere," and he cut her down?—I do not know the case, but I can quite understand that it may be so; because a man may sometimes be put in a position where he really has no option but to do some harm or other.

1625. There is a Return to the House in which a case was mentioned of one pilot who, on being sued on such an occasion, became bankrupt for the sum of 5 *l.*, and another for the sum of 12 *l.*; is there no redress whatever against a pilot in such a case as that?—There is none whatever under the present law, but under the Merchant Shipping Code, the Board of Trade, under the advice of the Trinity House, will require that each pilot have two sureties to the bond; therefore, in cases up to the extent of his bond of 100 *l.*, there will be not only the pilot to go upon, but also two sureties. That clause was inserted at the wish of the Trinity House to meet this very case, which no doubt is a case of extreme hardship, and a case in which a pilot has no right to take such a method of redress.

Capt. Sir *F. Arrow.*

8 April 1870.

1626. Was that 100*l.* bond intended to secure the owners of vessels which the pilot ran down, or was it not rather for some other purpose?—I think it is a moot point under the present Act whether it was merely a condition of good behaviour, which the Trinity House might have imposed if they pleased; but in all probability it would have come to the same thing, because the Trinity House would have given the money to the sufferer.

1627. Do you know, as a member of the Thames Conservancy, that cases of hardship to this particular class of vessels, small schooners and brigs, as well as my barges, are very frequent?—They are; but I think I may venture to say, on the part of the pilots, that at times it is almost an impossibility to avoid these things.

1628. If the barge was in fault under no law, the owner would be liable, I suppose?—No.

1629. Mr. *Stephenson.*] You describe the arrangement by which cutters for putting the pilots on board vessels in the Channel were maintained by the Trinity House; how is the capital for providing the cutters furnished?—Entirely out of this boarding money.

1630. Is that an old fund?—I think at the present moment there may be a balance of about 2,000*l.* in the hands of the Trinity House. The cutters were turned over when the Cinque Port pilots were placed under the Trinity House in 1853; they then handed over to us two cutters which they used to cruise in, which were in a very indifferent condition indeed, and that was all that we ever received in the shape of capital from them. Since that time we have got four cutters, three of which we have built ourselves; we have still in hand, I think, 1,800*l.* or 2,000*l.*, and we apply that as we think right for the maintenance of those cutters; if we wanted another one we should build it out of that fund. At times it has been granted on the application of the pilots for some particular purposes for their benefit, and small sums, never large ones, are granted to the pilots to assist them in objects of which we approve.

1631. Are those objects enabling them to conduct the pilotage work more efficiently?—Yes; for instance, not long ago they wished to memorialise the Board of Trade, and they wanted some legal assistance in this matter, and we gave them a donation from the cutter fund to assist them in their object. We thought it was reasonable that they should do so.

1632. Are the accounts of that cutter fund accessible to the public in any way?—They are not accessible to the public; but they are at the Trinity House.

1633. Have you any cases where steam cutters have been employed for this purpose?—Not any.

1634. The case of the Tyne has been mentioned, and I believe you stated that it was a less difficult pilotage than some others on the coast?—It is a good deal shorter.

1635. You are aware, of course, that the pilotage on the Tyne has always been a voluntary pilotage?—I did not know that it had always been so, but I know it has been so for some years.

1636. Are you aware that notwithstanding that the pilotage of the Tyne has been voluntary under a purely voluntary system, as many as 200 sea pilots are maintained at the entrance of the Tyne?—I understand so, but I have no knowledge of it myself.

1637. It also appears by the accounts that only eight captains altogether have acquired the right of piloting their own vessels by passing an examination; are you aware of that?—Yes; that might have arisen from two things; either from an indisposition on the part of the pilotage authorities to examine men, and throwing obstacles in their way, as I believe has been done in some cases, or it may be that the owners of ships prefer to pay the pilotage rather than to make their masters take out certificates.

1638. I may say that it is entirely the latter reason, because no obstacle whatever has been thrown in the way of the examination of masters and mates; I asked you the question to bring out the working of a purely voluntary system in that respect?—It certainly goes to show that a voluntary system will answer.

1639. You mentioned that the Trinity House in all districts allow masters and owners requiring pilots to choose any particular pilot outwards; I gather that that is not a rule in regard to employing pilots inwards?—There is only one place where there is an exception, and that is a very recent practice, in fact, I do not think it has been much more than six months in operation, and that is at the port of Southampton, in the Isle of Wight district. We made some six or eight months ago, considerable changes in that district. Instead of having pilots licensed, some for Portsmouth, some for Southampton, and some for Cowes, the pilots were all brought under one general rule, and all pilots were obliged to pass to go to any one of those ports. For many years the practice at Southampton had been for vessels to have their own particular pilots, and the steam companies made a very strong remonstrance with the Trinity House against their being deprived of the services of those men, as they would have been if they had been sent to sea, taking their turn in the cutters; and they said, and with a good deal of reason, "Here we have very valuable ships, long steamships, of large tonnage, and of enormous value; and we cannot consent to take any pilot who may come in turn, whether we know that he is able to handle our ships or whether he is not," because in a screw steamer there is something to know in the ship herself as regards the handling of the ship, and particularly in long screw steamers. Upon that representation we considered how we could best meet the difficulty, because it was obvious that if the choice men were secured for this pilotage service inwards, while the other men would have to cruise outside, the latter would have to take the small fish, whilst the former enjoyed the monopoly of the larger ones. At last we came to this arrangement, that the steam companies should be allowed to have their own pilots who should go out in their boats to meet those vessels coming up; but that in compensation for that one-third of their earnings should be paid to a common fund, to be distributed quarterly among the men not selected. Therefore, the selected men only get two-thirds of the pilotage of the ships that they take; one-third being divided amongst those who are kept outside cruising.

1640. I presume that the pilotage at Southampton is compulsory?—Yes.

1641. In the event of its being made voluntary under the Bill which is now before the Committee, how would you secure that the pilots went to sea?—If it is made voluntary, it will make no difference in practice so long as they take pilots; if

Capt. Sir *F. Arrow.*

8 April 1870.

if they take no pilots, of course the whole question drops to the ground; but so long as they do take pilots, the same thing will continue.

1642. Are large cutters, or comparatively small pilot boats, employed at Southampton?—They are boats of from 30 to 40 tons.

1643. How many pilots go on board a cutter?—Sometimes three and sometimes four.

1644. Where does the pilot who is selected to conduct vessels inwards, wait to go on board the steamer?—He generally goes off the Needles or as far as Peverell Point, looking out for vessels coming in.

1645. Is that farther than the other pilots go?—The other pilots cruise between St. Alban's Head and St. Katherine's, which is a considerably larger range.

1646. Then does not the system land you in this anomaly: that those pilots who go farthest out to look for ships, get less remuneration than those that remain at home?—No doubt; but we compensate them for it by only giving those men who have the privilege of being selected, two-thirds of their own earnings.

1647. Then the one-third which is distributed among the other pilots, I presume, is not distributed among those who have not been out looking for vessels?—No; it is distributed actually among the pilots out at sea.

1648. And you know that?—Yes; we distribute it through our own sub-commissioners.

1649. Is it distributed annually or quarterly?—Quarterly; but we have had hardly time to tell what its practical working is. As far as we have reason to believe it is going on fairly enough.

1650. I am troubling you with questions on this point, because on the river Tyne we have a similar difficulty at present. The transition which is taking place in the coal trade between a large number of sailing vessels carrying comparatively small cargoes, and a small number of screw colliers carrying large cargoes, has necessarily diminished the employment of pilots, because one pilot can now pilot a larger cargo than formerly; but it has also altered the distribution of the pilotage earnings, so that a comparatively small number of pilots, who are, you may say, the favourites of the captains of those screw colliers, have been earning a very much larger proportion of the pilotage earnings than their brother pilots, who, in fact, go further to sea to look for work which under this system they do not get. I am anxious to ascertain from you whether the Trinity House have felt a similar difficulty, and how they have met it?—It may be a rough way to redress the grievance, but the system which I have described is the only one that I see that can well be put in practice, and I think I may say that it is fairly succeeding.

1651. You made a suggestion as to a differential rate between winter pilotage and summer pilotage; probably you are aware that that system prevails on the Tyne?—I have heard that it does. It is very often the case, I am told, in non-compulsory districts.

1652. The shipowners have made a complaint regarding the pilotage at Falmouth, it being there compulsory, that vessels calling for orders have been obliged to wait outside all night for a pilot boat to come out, and that the pilot boat has remained in the harbour, knowing that those vessels must come in, and that they would get on board with less trouble in the morning; would not the abolition of compulsory pilotage, and the adoption of a free system, tend to encourage those pilots to keep out to sea?—Yes; I think, as I said before, that it might be done in two ways: by the authorities enforcing what is right, and by showing the advantages which the men themselves would reap by greater exertion. In this case, which the honourable Member alludes to as occurring under the compulsory system, it has been brought to the notice of the Trinity House that this practice has existed at Falmouth, and we have followed it up; and it is not very long ago since the Pilotage Committee of the Trinity House went to Falmouth to get the matter put to rights. We found that the nearer to the long nights and the short days, so the proportion of pilot boats which kept the sea decreased during the night time, and we put the matter right, and insisted upon seven out of 13 cutters being kept at sea every night. That is now, I am happy to say, working well; but it was only done through the authorities. The pilots kicked very much against it, and made all manner of objections, as you may suppose. They said they were wanted to take ships out, that it would destroy their earnings altogether, that pilotage would not be worth following, and that, in fact, they would give up their licenses; and we were obliged to say plainly, "Very well; then give up your licenses; your idea is that you are licensed for your own particular benefit. The idea of the Trinity House is that you are licensed for the benefit of the trade; and, though they wish to see you do well, they do not license you for your own benefit; and therefore, you must either obey our orders, or somebody else will do it;" and upon that we put the matter straight, and it has been working very well.

1653. Under a free system, you would still continue to enjoy that same authority which you exercised in this case, would you not, with the advantage of having the self-interest of the parties to help you?—I think so; so long as there is a limited number of pilots and an organised body of pilots, the pilotage authority must exercise the authority which is given to them for the good of the trade.

1654. Is the pilotage at Falmouth compulsory both ways, both inwards and outwards?—Yes.

1655. I observe that 3,000 vessels are piloted inwards, and a little above 2,000 are piloted outwards; can you account for that difference?—I do not know that I can account for it, except that it is quite probable that where they were not piloted outwards they were exempt. It is much easier to go out of, than to go into, Falmouth, and therefore, very probably, many vessels were piloted into Falmouth, which, when they were once in, could see their way out again without a pilot.

1656. Is the pilotage at Falmouth partly voluntary?—You may call it partly voluntary. It is a compulsory pilotage, with exceptions.

1657. Mr. *Brassey.*] Are the boats used by the Isle of Wight pilots provided by the pilots themselves, or by the pilotage authorities?—By the pilots themselves.

1658. I think that their tonnage is very much smaller than that of the boats which are stationed off the Ness?—Yes, generally, that is so; I think they seldom run above 40 tons.

1659. Do you know any case in which, under a purely voluntary system, boats of the tonnage and power of those which are stationed off the Ness, or at the entrance to the Channels at Liverpool,

Capt. Sir *F. Arrow.*

8 April 1870.

pool, are provided?—I do not think I do; but it was one of the old causes of dispute years ago between the Deal men and the pilots about the pilotage. The Deal men had magnificent boats, which were fit to go to sea in any weather, and would supply pilots as well as our cutters. There is no argument, I think, in that.

1660. A suggestion has been made that it would be greatly to the advantage of the shipping that the pilotage service should be carried out in much frequented waters by steam pilot boats; do you think that it is likely that under a purely voluntary system, such boats, considering the great cost and expense of a steam pilot boat, could be provided?—No; I confess that we have often thought, at the Trinity House, whether we could have a steam vessel running up and down between Dungeness and Dover so as to save the number of cutters which are out, and keep up the supply, but the objection has been the great cost of it. It would be a very heavy cost.

1661. You do not think that there would be a failure of organisation under the voluntary system in the class of men from whom the pilots are drawn?—That is a very difficult question to answer; but I think that, as a rule, wherever things are voluntary, more money is expended, and more efforts are made, than is the case under any system of restriction.

1662. As regards the sufficiency of the number of pilots for an important service such as that of the Thames, I believe that when the east winds have long prevailed, and the wind veers suddenly round to the westward, large fleets will come up the channel, requiring of course, a great number of pilots; is it likely that under a purely voluntary system a sufficient number of pilots would be at command for a service of that kind?—I suppose that the honourable Member is aware that so long as a licensed pilot does not offer his services, any one is entitled to take a vessel in pilotage waters, and be paid for what he does, until he is superseded. As far as the Thames is concerned, there is no doubt that there are times (and I have experienced them myself) when even all the strong staff of pilots which we have at Dungeness are not sufficient; and we send down our London pilots in a case of that sort, to assist in bringing up ships. But there is another strong reserve, which is, that the boatmen of that part of the coast (and you know what fine boats they have there) are generally at hand; and they are always anxious to earn a mileage by running ships up as far as the masters are inclined to trust them. I do not think that they can go beyond Margate roads, but they do that in case of a long prevalence of east winds, although no doubt the moment a pilot offers himself he supersedes them.

1663. Above Gravesend the insufficiency of the number of pilots for the purposes of meeting the requirements of the shipping has, I believe, very frequently led to a large extent to the employment of watermen?—They say so; I am not prepared to speak upon that point, for I do not know; but I am told that the Board of Trade have evidence that it is so.

1664. In the same way, under the circumstances to which we are alludiug, the Deal boatmen would probably supplant the pilots to a considerable extent, or take their duties to a considerable extent, would they not?—So long as there is an organised body of licensed pilots, they would have the same protection as they have now. With reference to the watermen, there is an impression, I think, on the minds of the Committee that the watermen and the pilots have some tacit understanding as to the watermen being let alone if they only keep to small ships; but I am told by most respectable pilots, who have given me the details, that that is not the case; that there is no tacit understanding between them; and, in fact, I have here the words of a pilot who asked me, if there was an opportunity, to mention this to the Committee. He says, "We most emphatically deny there being any collusion or understanding between the licensed pilots and watermen (commonly called unlicensed pilots), for every vessel arriving at Gravesend, and displaying a flag by day or a light by night, signifying to be cleared by the Customs, is spoken by the pilots on duty, and the master of the vessel so spoken accepts the services of a pilot when pilotage is compulsory, or refuses, as the case may be." They positively deny any collusion on their part, and they say that they endeavour to get the ships honestly if they can, and that they are no parties to allowing unlicensed men to ply their trade.

1665. Some apprehension has been expressed as to the probability of pilot boats keeping their stations in exposed places in bad weather under a purely voluntary system. The principal work of the Deal boatmen is in bad weather, is it not?—Yes.

1666. And their services are of course voluntarily rendered for the handsome remuneration which they receive on those occasions?—Yes.

1667. As under a purely voluntary system, the Deal boatmen are always found in exposed places in bad weather, I suppose we may venture to hope that the pilot boats under the voluntary system will do the same?—I should say that the Deal boatmen, whenever there is anything to be made, will always be there; I do not think that any amount of bad weather or danger is likely to stop them, nor do I believe that it would stop our pilots in doing their duty; I believe that they would be found, as they always have been, perfectly ready to encounter the legitimate amount of danger which their calling requires.

1668. With regard to the station of the Trinity House pilot boats off the Ness, would there be any advantage to shipping if the boats were stationed farther to the westward?—I am only giving an opinion against other opinions; but my opinion is, as I said before, that nature has pointed out the right place from which to supply pilots for the Thames, *i. e.*, where it is like going into the neck of a bottle, and where the vessels naturally come. That is surely better than cruising about all over the Channel. One-half of the ships that come up with a westerly gale, and a following sea, instead of keeping round Beachy Head to the Royal Sovereign Buoy, where they ought to be, get set over into the Boulogne Bight, and come right into the southward, and you could not send pilot vessels to meet them there. The pilot must be near the place where the danger has to be encountered; and the contracted navigation shows that that is the place for a man to lie in wait for his prey (if I may call it so) coming up.

1669. In consequence of the physical configuration of the dangerous bank called the Owers, and Beachy Head; and on the other hand, the coast being perfectly clear between Beachy Head and the Ness, is it not much better for shipping to haul

haul in between Beachy Head and the Ness than farther to the westward?—Yes; the Owers bank is right in their way, but no vessel, except with a working wind, has a right to come in within three or four miles. There is a case in the papers of a ship called the "Benvenue," in which, I think, a more monstrous disregard of common prudence than was manifested by the master it is impossible to conceive. He steers, at least, three quarters of a point to windward of his proper course, and naturally the ship goes ashore, and then some (no doubt) excessively able correspondent writes a leading article, and tells you that this is all because there were no lights or pilots or buoys, whereas it was simply because the man did that which was certain to bring him into trouble, and that he did not use his lead. Another remark was made, that the light vessel did not sound her gong, and that they ought to have seen the flash of a gun; but as it was thick weather, and the vessel was dead to windward of her, it was impossible to see the one or to hear the other.

1670. With regard to the compensation clauses of the Bill, do you consider, as the executive head of the Trinity pilot service, that it is fair to the pilots generally that they should have to wait for a period of two years before the Board of Trade entertains the question of compensation to them?—I think that the Board of Trade can scarcely come to a decision under two years; I do not think it will be an immediate operation.

1671. In the meantime a pilot, who had no accumulated resources, might find himself in a very disadvantage position, might he not?—I think that perhaps it might be right in considering that question that the Exchequer should be empowered to consider any case of particular hardship that might present itself, as long as it was safely and fairly investigated by the pilotage authority, but the danger is that claims may be made which are not properly sifted. I do not think that it would happen under a jurisdiction like the one over which I have the honour to preside, because I think that we have the organisation and the means of sifting a case of that sort, but it certainly would happen in some instances; and, therefore, while it would be right to protect the pilot, it would still be right to protect the public purse, by seeing that it was not taken liberties with.

1672. I think you stated that the superannuation at present is on the very limited scale of 28 *l.* a year; therefore, if you had to superannuate a proportion of the pilots, in consequence of the reduced employment of the service, the scale should clearly be increased beyond that in the case of those men who are forcibly superannuated, should it not?—If it is left to the pilotage authorities, of course they would consider the bearing of the case. If it were left to the Board of Trade, naturally they would have to decide it.

1673. At what age are the pilots now superannuated?—At all ages; they are rarely superannuated unless they are really incapacitated; we know that ourselves. We do not trust to any sub-commissioner, or any superintendent, or anybody else in a case of that kind, but we invariably see the pilots ourselves. There was one old gentleman came to me the other day, an old Yarmouth pilot, who was over 80, and he asked to be allowed to keep his branch till the autumn, so that he might complete his 60 years' service; when I heard of this application I thought it my duty to see this old gentleman myself. He was a wonderful specimen of what a man ought to be. He was as active, and his eye as bright as possible, and he told me he could run up a vessel's side, or be up all night as well as anybody, and it really was the case, and I gladly allowed him to remain and make up his 60 years' service, when he will be superannuated.

Capt Sir *F. Arrow.*

8 April 1870.

1674. With regard to passenger ships under present regulations, are not the engineers compelled to possess certificates of competency?—Yes.

1675. And the masters also?—Yes; the masters of all vessels except coasters.

1676. And therefore, in pilotage waters where the pilotage is more important than a general knowledge of navigation, should not the master of a passenger ship be compelled to possess a certificate for the pilotage service before being allowed to navigate without a pilot?—If there is compulsory pilotage, undoubtedly so; but if it is under a voluntary system, I think you must follow the system throughout.

1677. But is not the knowledge of pilotage in pilotage waters quite as necessary for the safety of the passengers as a knowledge of the art of driving an engine?—Quite so.

1678. You require that knowledge in the case of an engineer, and therefore, by analogy, should you not require it in the case of a master?—The engineer and his engine are simply the means of locomotion; they have nothing to do with where they put the ship to; they do as they are told.

1679. But the management of the engine has everything to do with the safety of the passengers, has it not?—Certainly, so far as damage to engines or any improper use of them is concerned.

1680. But it is upon that ground that he is compelled to possess a certificate, and therefore, upon the same ground, should you not require a certificate of the knowledge of pilotage in the case of a master?—But you require from a master that he should be a good sailor and know his business, and be able to navigate a ship under any circumstances; that does not make him a pilot.

1681. But ought he not to be a pilot on pilotage waters, on the same ground that an engineer should be a good engineer?—I do not see that at all, because he has the means of supplying that knowledge by taking a pilot, whether he is a compulsory pilot or a non-compulsory pilot; but there is nobody to come and supply the engineer's place if he should happen to know nothing about it.

1682. Mr. *Norwood.*] I think that, in answer to the honourable Member for Liverpool, you favoured the Committee with your opinion with reference to shipowners' liability in pilotage waters; have you ever acted as an assessor in the Court of Admiralty?—Yes; for something like five or six years I used to sit there.

1683. Are you not aware that the immunity of a shipowner when his vessel is in charge of a pilot in compulsory waters, when the loss or injury has been caused by the act of the pilot, is founded upon common law?—Yes, I believe that it is so.

1684. Is not that upon the principle that a man should not be held responsible for an act not done by himself or by his servant?—Yes; and I have also heard that if there was no such rule in the Admiralty Court the common law would decide the question in that way.

1685. I presume that the theory in support of compulsory pilotage is, that the waters in which pilotage is compulsory are so exceptionally diffi-

Capt. Sir *F. Arrow.*

8 April 1870.

cult to navigate that it is necessary to have a man specially qualified for the purpose?—I suppose so.

1686. At present, under the compulsory system, the law steps in, does it not, and places on board every ship entering those waters a pilot, whether the master of the ship wishes it or not?—Excuse me, that is what it does not do; the law does not make every one do so; it makes one man do so perhaps, but it does not make the man next him, under almost the same circumstances, do so.

1687. I am talking about a vessel in compulsory waters, subject to compulsion of course; is it not the result of that theory, that by law a vessel is forced to take on board in compulsory waters a pilot?—Yes.

1688. That is upon the presumption that the man has a special qualification to navigate the vessel which the master may be presumed not to have, is it not?—That is so.

1689. Then do you think it unreasonable that the present law of shipowners' exemption should exist under those circumstances?—I do not think that it is unreasonable, and I think that it has been the great shield and safeguard of the compulsory system.

1690. You have been in command of vessels, and have had great experience, and you are a great authority upon this point; would you have considered yourself justified, when in command of a vessel, in interfering with the navigation of a compulsory pilot?—I suppose that the honourable Member alludes to the case of the "Spindrift."

1691. Not especially; I presume that you sailed once as a master of a ship, not being the owner of the ship?—Yes.

1692. Knowing the law, would you have considered that you were acting properly with reference to the interests of your owners, if you had interfered with the navigation of your vessel in compulsory districts in the presence of a compulsory pilot?—I think that I should be neglecting my duty if in my judgment the pilot was doing that which was manifestly improper within my knowledge, if I did not at any rate represent it to him; I might say to him, "Pilot, you are doing what I think is not right, and I think you should do thus;" and I should call his attention to it; and if he said, "Well, sir, I know what I am about, and you must allow me to do what I think is right;" I think that, probably, with a first-class pilot like those in the Thames, I should say, "Very well; I suppose you are aware of it better than I am, and therefore I shall not interfere with you;" unless the man was manifestly drunk, or in some other way unfitted for his work; but I certainly should not think that I had done my duty towards my owners if, thinking that he was doing what he ought not to be doing, I had not brought it before him, and thoroughly fixed the liability upon him.

1693. I think there is no doubt about the law that the master of a ship, even when his vessel is in charge of a compulsory pilot, is bound to see that the navigation of the vessel is properly conducted, and that his men are in a position promptly to carry out the orders of the pilot, and the pilot is only responsible for his own act and deed?—Quite so.

1694. But you would not go further than to hint to the pilot that he might possibly be wrong, and you would not take the responsibility off the pilot's hands if you did not find that that man was drunk or otherwise incapacitated?—In the case of the "Spindrift," I most certainly would have done it; I would not have allowed the pilot to go inside the 12-fathom line of soundings, nothing would have induced me to do so; I would have said, "There is plenty of clear space outside the line, and I insist upon your taking the ship outside it."

1695. Supposing that your vessel were in narrow waters with several vessels passing, there being a possibility of a collision, and that your pilot shouted out "port!" would you consider yourself justified to give the counter-order "starboard!"?—No; you cannot have two captains of a ship; you cannot, both of you, be piloting the ship.

1696. And therefore if the Legislature under a compulsory system forced upon the ship a man who is presumed to be specially qualified, and who possesses a license, that man must practically retain the command of the ship, must he not?—I suppose that he must; but at the same time in the steamers, which belong to the Trinity House, occasionally we take a licensed pilot. If we were going into the port of Liverpool, or any other place, we probably should take a pilot; and in those cases I always insist upon the master of the vessel retaining charge of the vessel to this extent. I say to the pilot, "You keep close to my master, and tell him where you want to go, and where he is to put the ship to, and he will do it."

1697. But your position on board your own yacht is somewhat different, is it not, from that of a captain on board a merchantman?—No doubt it is.

1698. You have very extensive outport districts under your supervision, have you not?—Yes, all round the coast.

1699. I think I shall not be far wrong, that the list begins with Aberdovey and ends with Yarmouth?—Yes; all through the Alphabet.

1700. May I ask you what system of supervision you have at the Trinity House with reference to those outports?—The outports are supervised by sub-commissioners, who are appointed under the Act of Parliament. They are not less than three, or more than five, in number at each port; and the only way of remunerating those sub-commissioners is by the fees which are paid by the pilots of the ports for licenses and renewals. Whenever, therefore, there is a small number of pilots, it is a very small amount indeed, and when it is divided among three men, it comes practically to such a very trifling amount that it is not certainly worth a man's while to lay himself out for it, although many retired masters of ships, and many gentlemen even who take a particular interest in the neighbourhood, will take a sub-commissionership. The collector of Customs is always one of them, and the amount of work is pretty fairly done; yet, still there are very grave objections to it on this ground: that you cannot expect men to do that for which they are not fairly paid. The system of sub-commissioners in small places is not a right one, and from that arise complaints, because they are not properly supervised. The present Merchant Shipping Code which is before the House, has a clause to remedy that inconvenience, by allowing them to be grouped into districts, having a travelling inspector to go round them.

1701. That is scarcely an answer to my question. I want to know what personal supervision the Elder Brethren of the Trinity House exercise over

over those out ports; how often do you go there?—I cannot say how often we go there, but whenever there is a case that wants attending to, a committee goes down there. There is scarcely a month in the year that our vessels are not going into some of those ports, and we make it our business then to make inquiries, and ascertain whether things are going on properly.

1702. Do you visit all those stations once a year?—Every station is visited frequently. There is nothing of importance under the Trinity House which is not visited at least once a year, and generally oftener.

1703. The Trinity House is in this peculiar position as a pilotage authority: that they are not only the licensing authority, but they are the administrative authority, I think?—Yes.

1704. And it stands alone of all the pilotage authorities in the kingdom in that respect, does it not?—I think it does; I am not aware of any other.

1705. There is a Trinity House at Hull. I suppose you are aware that the system is, that while the Trinity House at Hull licenses, it does not administer; but that it only forms a portion of a large representative board; that is not your case, is it?—No.

1706. Do you not think it would be more satisfactory to the trade of the port, and possibly to the Elder Brethren themselves, if they were assisted in their administrative functions by an admixture of the mercantile element of merchants and shipowners?—I think that all elements are what I call fairly represented in the Trinity House. You will remember that the greatest number of the Elder Brethren are men who have passed the greater part of their lives in command of merchant ships and in mercantile operations; and they naturally represent to a great extent those interests.

1707. The acting members of the board are chosen entirely from merchant masters, are they not?—Yes, with the exception of a small percentage, which is supplied from the Royal Navy. There is no actual necessity for it, but it is done by a tacit agreement.

1708. I believe you have two or three from the Royal Navy, have you not?—We have three.

1709. Out of 16?—Out of 20.

1710. I have a Return before me, which was furnished in answer to an order from the House, and I find that there are only 16 Elder Brethren who are not statesmen and honorary Members; is that Return correct?—I think you will find that there are 17 Elder Brethren. There are three vacancies at the present moment.

1711. The Elder Brethren are self-elected, are they not?—They are entirely self-elected.

1712. The outer world has nothing to do with the election of Elder Brethren, has it?—Nothing whatever, except public opinion, I think, which has a great deal to do with it.

1713. Then I suppose I am not very far wrong in saying that there is no representation of the mercantile interest upon your board?—I think you are wrong in saying so; I do not represent your own particular interest. I do not represent, perhaps, Mr. Grave's interest or the interest of many other gentlemen here, but I think, that, as a man connected with commerce all my life, I may be looked upon as a fair representative of the mercantile interest in general. I certainly represent no one else's interest. I represent no Government interest. I represent no class whatever, but I simply do my duty towards the classes mostly interested in the occupation of which I have the honour to be for the time the acting head.

1714. I think you can scarcely apprehend my statement; I fully admit that every gentleman upon your board acts from a sense of public duty, but it is actually the fact, is it not, that no shipowner or merchant in the port of London, or elsewhere, has any elective faculty with regard to your board?—It is quite true.

1715. And occasionally public opinion has not altogether gone with the action of your board, I think?—I think that is perfectly true also. I think that public opinion has not always gone with it, and it has been directed rather against the self-elective system, than the individual, and naturally so.

1716. I think that in the case of the "Spindrift," which you mentioned the other day, the committee at Lloyd's do not exactly coincide with the Elder Brethren of the Trinity House, with reference to the punishment of the pilot of the "Spindrift"?—I think that the committee of Lloyd's did not coincide with the Elder Brethren as to the amount of punishment that was inflicted upon him.

1717. Have any of your Elder Brethren served as masters of steamers in the merchant service?—Yes, several of them.

1718. I suppose you are not assisted in your deliberations with reference to pilotage matters by the Right honourable Benjamin Disraeli, or the Right honourable W. E. Gladstone, or even by His Royal Highness the Prince of Wales?—I have no doubt that they would be very competent advisers if they could find time to devote to it; but as it is they have large public duties, and they very wisely leave us who, perhaps, understand the matter rather better, to our own deliberations.

1719. With reference to licensed watermen, is it your opinion that they have a competent knowledge of the river between Gravesend and London Bridge?—I know nothing at all about the licensed watermen; I know that it is a monopoly, which is a rather extraordinary one in the present day, and I believe it is under the consideration of a Committee of the House, or will be so before long; but further than that I know nothing about them.

1720. You are aware that they pilot vessels up from Gravesend, are you not?—They do; naturally a man who is always on the river must get a knowledge of the river.

1721. Have you ever known a case of this kind, that an owner has kept a waterman on board when he has had a compulsory pilot put upon him?—I believe that they constantly keep a waterman on board, but not for the object of piloting the ship; the waterman is wanted for this purpose: in the present day, when economy is very largely practised, as it always has been in shipping matters, a waterman and his boat are necessities; to lower down a ship's boat takes a number of hands, and if you want to run a line out, or if you want a little job done, it is a much simpler thing to pay a waterman and his boat, and to take him in tow, than to lower away boats which, in a merchant ship, is a matter of a great deal more difficulty than in a man of war; scarcely any ship ever goes up the Thames or down the Thames that does not take

Capt. Sir *F. Arrow.*
8 April 1870.

a waterman with it; but I entirely deny, on the part of the pilots, that it is on account of any knowledge of the river which the watermen do possess which the pilots do not possess; and no greater reflection could be cast on the Trinity House itself than such a statement; the Trinity House are responsible for the knowledge of the pilots of the river; and I say most emphatically that there is no pilotage on the Thames which our pilots are not competent for, and do not perform without any waterman whatever.

1722. You must not imagine that I am making any reflection of any kind; I am only anxious to ascertain facts; do I understand you distinctly to state, that independently of the convenience of a waterman and of his boat, you have not known cases in which a waterman has been retained on board a vessel where a pilot has also come on board for the purpose of navigating that ship?—Certainly not; I know no instance whatever, in which such has been the case; with regard to that point, I was acting as an arbitrator sometime ago in a case of collision between two steamers, where that very charge was made, that the pilot did not know his business, and that he had got a waterman on board to assist him.

1723. I wish it be distinctly understood that I am making no charge whatever against the pilots; but I merely asked you a simple question of fact, and you have answered that you know of no such case; I think that in your evidence in chief you expressed yourself somewhat strongly as to the conduct of the pilot of the "Spindrift"?—Yes, I think I did.

1724. I see in the account of receipt and expenditure from the Corporation of the Trinity House, with reference to pilotage, that a very large portion, 90,000 *l.*, of this fund, is derived from dividends from stock in the New 3 per Cents.; can you explain to the Committee how the Trinity House obtained that stock?—They arose from the differential duties on pilotage, which were compulsory before 1823; and they were appropriated to that purpose.

1725. I see that there is poundage and dues in London and at the outports, and dues and turns to the pilots of the Cinque Ports; are those deductions from their earnings?—They are deductions from their earnings, and they go to the fund.

1726. And that is applied towards pensions and allowances, is it not?—Yes.

1727. I suppose that the system is an equitable one, and that the Cinque pilots fare the same as the others do?—I will not say that I think it is altogether an equitable system, because, as I said before, to a certain extent it is a sort of benefit fund or charitable fund; and it is quite true that the pilots who make the best earnings do not get an adequate return for the contributions which they may make.

1728. Then I understand that the method of applying the poundage and dues is not altogether satisfactory; I think I understood you very clearly to state that you saw no necessity in principle for exemptions over compulsory waters?—I do not know of any necessity for them.

1729. For instance, it makes very little difference in navigating a ship, whether she has a couple of passengers on board, or not, I presume?—I think not.

1730. And yet would not the very fact of two passengers being on board a vessel in the North Channel now make her liable?—No doubt.

1731. And if they were not on board, she would not be liable, would she?—No; and I have heard that sometimes two men go on board for that very reason.

1732. In fact, you think that if non-compulsion were not the law of the land, universal compulsion would be more logical and consistent?—I do certainly; I think it should be either one thing or the other.

1733. Have you many complaints against your pilots?—Very few indeed.

1734. Those complaints, when they do arise, are always investigated, of course?—Invariably.

1735. The House called for a copy of the Minutes of Evidence taken before the Elder Brethren in reference to the "Spindrift;" but the Trinity House have not, I think, furnished that information?—There was no evidence taken down; it was *vivâ voce*, and it was only put down shortly, and the substance of that was given to the Board of Trade in a letter which was included in the correspondence.

1736. There is no very formal investigation, is there?—I think it is a very searching investigation; but certainly it does not approach anything like a court of justice.

1737. Mr. *W. P. Price.*] I think you stated just now that in 1862, the Trinity House expressed their opinion in some form or other, adversely to any change in the system of compulsory pilotage?—They did.

1738. And that that opinion had not been revoked in any way since?—No.

1739. But since that time has there been a very considerable extension of the area of voluntary pilotage?—Yes.

1740. At the Trinity House, have you any official knowledge of the result of that extension of the principle of voluntary pilotage?—I think the only knowledge we have is what I have heard discussed in the Committee. We have heard from former witnesses about the results with regard to the pilotage in the Bristol Channel, which, no doubt, to some extent, proved the case; but I think, at the same time, that it is fair to say, with regard to Bristol, that it must not all be taken merely as the effect of compulsory pilotage. I do not think that the voluntary principle is one upon which the Gloucester and Cardiff pilots have made such large earnings as against the compulsory pilotage. I think circumstances which were mentioned here have a great deal to do with it, and that the one has been a large and increasing trade, while the other has not.

1741. You are rather now reciting the evidence of other witnesses, but the Trinity House have no official knowledge of the fact one way or the other, have they?—None. We have but little jurisdiction in the Bristol Channel.

1742. You stated, I think, that the Trinity House represented primarily the interests of commerce, and only secondarily the interests of the pilots themselves?—Yes.

1743. In point of fact, you think that the pilots exist for the sake of commerce, and not commerce for the sake of the pilots?—Quite so.

1744. Then when you expressed an opinion in favour of voluntary pilotage, you express that opinion rather with reference to the trade of the country than with reference to the pilots themselves, which you think a secondary question; is that so?—Quite so. With regard to the views which the Trinity House have taken as to compulsory

pulsory pilotage, at the same time that they have expressed their opinion in the year 1862 that compulsory pilotage should not be abolished, the Trinity House have always been the most forward in giving exemptions, and many of the exemptions which ships enjoy at the present time, they enjoy from the recommendation of the Trinity House itself; so that while, on the one hand, they were not for the entire abolition of compolsory pilotage at that time, yet, on the other, they have been going on in the direction of extending facilities. I may mention, as an instance of that, that only last year, when the Merchant Shipping Bill was published after it was laid on the table of the House of Commons, and it was sent down to the Trinity House to make any amendment that we liked, we then recommended a considerable further exemption from compulsory pilotage, which does not appear in the present Bill.

1745. So that you would say that the Trinity House, for some time past, have been proceeding tentatively in the direction of voluntary pilotage? —I think that may fairly be inferred so. They have been glad to do anything that having once opened the door would give assistance to commerce.

1746. Then when, in expressing your own personal opinion in favour of voluntary pilotage, you say that where a shipowner takes a pilot at all, he should be compelled to take a licensed pilot, I suppose you give that opinion upon this principle, that while the shipowner may be safely left to determine in what cases he may or may not take a pilot, he cannot be safely left to choose a pilot, because he has no means of knowing whether the man is or is not a qualified pilot except by the production of his license?—Quite so; I think that is the fair way to put it, and, moreover, that where there is a licensed and organised body, it is right for their interests that they should be protected in the exercise of their calling, without which the further proposition, as you have just laid it down, goes for nothing.

1747. Then you think it would be the duty of some competent body to provide that there should always be a sufficient supply of competent pilots; but you would leave it to the shipowner himself to determine in what cases a pilot was required and what not?—Certainly.

1748. Are you aware of the fact, that some years ago the Bristol pilotage authority resisted any relaxation of the compulsory pilotage in their district?—Yes, I believe they did.

1749. Do you know also that in the petition which they presented against this Bill, they have admitted that the compulsory pilotage as between Lundy Island and the Holmes might safely be dispensed with?—I am not aware of it, because I do not look upon the question as a partisan, one way or the other. I have not sought for all the arguments on either side, but I think almost anyone will admit that to say otherwise would be throwing argument away, for the improvements which have been made in the Bristol Channel, as I before observed, have removed any necessity for a compulsory system up to the Holmes.

1750. Have you happened to see this petition of the Bristol pilotage authority?—I have not.

1751. But supposing that it should be stated in this petition (as, in fact, it is) that in their opinion now, contrary to the opinion expressed at a former period, compulsory pilotage might safely be dispensed with between Lundy Island and the Holmes, would you say that that was an indication that the voluntary experiment, so far as regards the Bristol Channel, was successful?—Not altogether, because I look upon it that the main reason is, the facilities given for navigation in the Bristol Channel. If you look at the chart you will see that there are more lights and more assistance to navigation; all of those floating lights, the Scarweather, the Helwicks, and the Brakesea light, which is the one further to the eastward (*pointing to the chart*), have been placed there of late years by the Trinity House. The Trinity House have nothing to do with the jurisdiction of the Bristol pilots, but the Trinity House have the safety of the Channel under their care, and they have placed those lights which have very much simplified and improved the navigation of the Channel, and, with the consent of the Board of Trade, we hope still further to improve it with a light upon Hartland Point at the earliest opportunity.

Capt. Sir *F. Arrow.*

8 April 1870.

1752. Have those lights been placed there since the abolition of compulsory pilotage as respects Gloucester, Newport, and Cardiff?—Yes, since that time. The Helwicks light was before. The other two have been placed since.

1753. Over how many miles does the compulsory pilotage district of the Mersey extend? —It is about 45 miles, I think, from Point Lynas to the Bell buoy.

1754. And there the river pilotage commences? —Yes.

1755. Within that district would there be very great danger if a vessel arriving did not find a pilot immediately?—In Liverpool Bay the great objection is that there is no safe anchorage with the wind on, particularly in the autumnal and winter gales; but there is plenty of sea-room if you strike out to northward, between the Calf of Man and Anglesea, for a ship to be kept in safety, I think.

1756. So that she could keep the sea until such time as she could find a pilot?—Yes.

1757. Do you know enough of the navigation of the Mersey and also of the Bristol Channel to be able to state whether the Mersey navigation is a more difficult one than the Bristol Channel navigation within the limits of the pilot jurisdiction, whatever that may be?—I should think, of the two, that the Liverpool pilotage wanted more knowledge. I do not mean to say that it wants any special treatment, but I think that perhaps it is more difficult than the Bristol Channel, although when you get above the Holmes in the Bristol Channel there are difficulties.

1758. But inasmuch as in that part of the Bristol Channel where the navigation is dangerous, there always is found to be an ample supply of pilots under the voluntary system, do you see any reason whatever to doubt that there would be always an ample supply within the pilotage jurisdiction of the Mersey under the same principle?—Not at all, because I still hold the view I held before, that where there is money to be gained the pilots will go and seek it.

1759. And speaking generally in the interests of trade and commerce, you give it as your opinion, as a practical man, that we might very safely dispense with the compulsory pilotage over the whole of the coast of England?—I think so.

1760. Mr. *Malcolm.*] I thought just now you stated, that even under the compulsory system there was a great difficulty in keeping the Falmouth pilots at sea in the winter, and that you had to go down and interfere?—That is quite true.

1761. Do you not think that, under a voluntary system,

Capt. Sir *F. Arrow.*

8 April 1870.

system, it would be difficult to keep, for instance, the Mersey pilots far enough to seawards?—I do not think that the discussion has ever gone to that extent. I apprehend that by the view that I have put before the Committee the same power still remains in the hands of the pilotage authorities while there is an organisation of pilots. If it came to the question (as it may sometime or other, though certainly in my mind it has not come to that yet) of supply and demand, then I think your position is a right one, but not otherwise.

1762. With regard to the exemption of vessels coming into the Thames, you stated to the honourable Member for Hull, that you thought two passengers made no difference; and I understood you to say to the honourable Member for Liverpool that you did not see why a coaster of 60 tons should be exempted any more than a vessel of 1,000 tons?—Not upon the principle that the State is to take care of life.

1763. But you do not think that it is much safer to exempt a vessel that draws six feet of water, than a vessel drawing 25 feet?—Pardon me, I never said so; I say that all that is a question of degree; but the exempted coaster may be a vessel of 1,000 tons, just as well as one of 50 tons; 60 tons was the first limit of exemption.

1764. But in many ports (I will not say exactly in the Thames, for I do not recollect at this moment), coasters up to a certain tonnage are exempt, are they not?—Yes, I think they are in Liverpool, for instance, where the limit is 100 tons.

1765. Under the voluntary system, do you think you would be able to keep up your pilot cutters at Dungeness?—I think so; I do not see why we should not.

1766. On this boarding money principle?—Yes.

1767. Do you think there would be sufficient employment?—I think so; I have assumed that the employment in the Thames, will not be lessened at all.

1768. I think you stated, that there are the same number of pilots now in the Thames as there were some 10 years ago?—Yes, the same as there were 20 years ago; they are kept at the same number.

1769. But has not the increase of trade in the Thames during that time been enormous?—No representation has ever been made to the Trinity House of the necessity of making more pilots.

1770. Do you not think that that might account for what we have heard stated (and from which you rather seemed to differ) as to the employment of watermen?—That very possibly may be so; but at the same time you must remember the exemptions: I have here a return which will, perhaps, throw a little light upon that subject. This return gives the number and tonnage of British and foreign vessels (sailing and steam) entered and cleared with cargoes, and in ballast, from and to various countries to the Port of London. In the year 1862 there were 11,655 vessels with a tonnage of 3,347,080 tons; there were 8,176 vessels cleared out with a tonnage of 2,508,525. In the year 1868, which is six years afterwards, the entries of vessels had decreased from 11,655 to 11,280 vessels. The figures had positively decreased to something like 400, but the tonnage had increased by nearly 400,000 tons. A pilot can only pilot one ship, therefore that accounts for it; then the number of vessels cleared in the same way, decreased from 8,176 vessels cleared outward to 7,575, but the increase of tonnage cleared out was 200,000 tons; I think that answers the question.

1771. Did you ever happen to go up the Clyde?—Yes; I have often been up the Clyde.

1772. You are probably aware that above Newark Castle, a little below Dumbarton, there is a compulsory system?—Yes.

1773. Do you know that the Clyde authorities are very anxious to keep up the compulsory system there?—As a system of police more than anything else, I fancy.

1774. Do you not consider that the compulsory system there has worked very well in keeping that very narrow river clear and free of accident, and that there is no reason why it should be charged there?—Only upon the general principle that I am afraid you cannot make a principle apply to one place and not to another. It is one of the things commonly charged against us, that we make all kinds of local arrangements and plans, but I should call that a system of enlarged harbour masters. There is no difficulty in going up the Clyde; the river is between training walls, and if they call that pilotage, it appears to me merely a misnomer. It is simply a case of follow your nose, and it is more a harbour master's business than a pilot's.

1775. And if a man happens to follow his nose straight when the river takes a sharp turn, and he gets across the river, he effectually stops the entire traffic, does he not?—Quite so; but I think that is harbour-master business, I think you had much better call them harbour masters instead of pilots.

1776. Mr. *Pemberton.*] The Cinque Ports are, I think, under the jurisdiction of the Trinity House, are they not?—Yes.

1777. They are all one body, are they not?—There are still remaining something like 50 of the old Cinque Port pilots who came under our jurisdiction in 1854, but all the rest are Trinity House pilots. There are no new Cinque Port pilots.

1778. As a rule, do you consider them an efficient body?—Very much so.

1779. You have not had complaints against them?—Very few, not more than, I think, a very fair per-centage. I have a return here of the complaints that have been made against pilots; but I think I may say that, as a rule, they are a very trustworthy and efficient body of men.

1780. You have not more complaints than you might naturally expect?—Certainly not; and I think that, considering the amount of property which those men conduct in and out of the River Thames, it is highly creditable to them.

1781. You have compared the difficulties of the Bristol Channel with those of the Mersey; I suppose you consider the pilotage of the Thames more difficult than either of them?—I do. I think that the Thames is, perhaps, the most difficult navigation in this country, although, as in the case of the Bristol Channel, we have done a great deal to simplify it. The moment you get to the South Foreland the difficulties begin, because you are in among the sands directly.

1782. Do you not think that, there being greater difficulties about the navigation in this district than in the other, it is very essential that there should be a duly-qualified class of men to undertake it?—I think it is very essential that there should be.

1783. I think I understood you to say, that if compulsory

compulsory pilotage was done away with, there would be a more general use of pilots, or, at all events, not less?—I do not think there will be any less, but I will not say that there will be more. It is an idea that I have, perhaps, hardly worked out, but, if I may say so, I think that, with some revision of rates, and with a summer and a winter scale, one might, perhaps, almost induce owners to take pilots rather than the unlicensed men that they sometimes do take, a great deal of it is a question of price, no doubt.

1784. Do you not think that, assuming this Bill to be carried, vessels navigated down the Channel and up the Channel would take pilots from the same class of men as they take them from at present?—I think so.

1785. *Chairman.*] If they take a pilot at all, they would under the Bill be compelled to take a licensed pilot, would they not?—So I understand the Bill.

1786. Mr. *Pemberton.*] But assuming that they would not be compelled to take a pilot, do you think that they would take a pilot?—I think they would.

1787. Do you not think that they would take them from the same body of men as at present?—Yes, as I understand the Bill, and as I hope it will be insisted upon, they will be compelled if they take a pilot to take a duly qualified and licensed pilot; if they elect to take no pilot at all, they can go their own way and do as they please; but if they take a pilot then they shall take a pilot who is proved to be a qualified man and a man upon whom you can rely.

1788. Then, if they do take a pilot, you think that they would take him probably from the same body of men as they would take him from at present?—Yes.

1789. Does it not seem to you, then, that compulsory pilotage is rather a sentimental grievance than a real one?—I do not think that that is a matter for my judgment; I think that is a matter for shipowners themselves; but looking at it, even if you like in a sentimental light, I do not know why I should be compelled to do what is for my own good.

1790. Your opinion is that, even if the compulsory system is done away with, people will take pilots just as often, and from the same class of men?—It is.

1791. Does it not seem to you, then, to be rather a shadowy grievance?—I think there is all the difference in the world between compulsion and non-compulsion; what would be excessively satisfactory to me in one way would not be at all satisfactory if it were forced upon me; but, however, it is merely a matter of opinion.

1792. I think that your opinion seems to be very much the same as the opinion of Mr. Farrer, that the principal objection to compulsory pilotage beyond this question of the grievance being obliged to take a pilot, is the question of liability?—I think that is the point which perhaps has pressed it forward; but I am bound to say that I think the whole system of exemptions is one that tends to one end.

1793. I am not talking about exemptions?—But still I must illustrate what I wish to say; I think that you must take exemptions as a great part of that question, and the question of those exemptions is a great part of this case.

1794. Then I understand that you see three objections to compulsory pilotage: first, that there is an uncertainty as to the liability; secondly, the question of being compelled to do a thing which you do not want to do or which you do not care about doing; and, thirdly, that there are so many exemptions?—I think that I cannot say it better than I said it before; my answer was, "There can be, I suppose, but two reasons for it; the one would be the safety of life and property, and the other would be for the convenience of shipping."

1795. Those are the arguments in favour of compulsory pilotage, are they not?—Those are the arguments in favour of compulsory pilotage.

1796. But will you state shortly the objections which you have to the system of compulsory pilotage?—I object to the system of compulsory pilotage as throwing upon others a duty which you ought to do for yourself, and I think that it is quite unnecessary. I object to it, because I think that if there was any necessity for it, you have removed the ground for its existence by the exemptions which you have made; exemptions which appear to me to have entirely cut the ground from under your feet. I also object to it, because I think that it tends to a relation between the pilots and the owners and masters of vessels, which is an unsatisfactory one.

1797. Do you not think that a scheme might be devised by which this question of the liability of the owner might still be preserved?—I have no doubt that you might make some sort of compromise, or something not so radical as the change now under discussion, but I think it will come to that in the end; I think it will be only a delay in the question.

1798. Might not you provide that the owner should be liable as well as the pilot?—I think the common law provides for that, as was stated by the honourable Member for Liverpool.

1799. Is not the law this, that the owner is not justified in lying by and letting the ship be lost by the wilful neglect of the pilot, but that the pilot being sober, and *primâ facie* competent and duly and properly qualified to discharge his duties, he is solely responsible at present?—That, I think, is the way in which the law was laid down.

1800. I think you alluded to the question of the comparison of coasters with passenger ships; does it not seem to you that there is a great difference between a coaster, which is merely employed for the benefit of the pocket of the owner, and which does not carry passengers, and ships which do carry passengers?—I think that has been put to me before; and I still retain the same idea which I had, that the State is just as much obliged to provide for the safety of any common seaman on board a ship as for the safety of any other member of society.

1801. Is it not different where persons undertake to carry passengers?—I do not see it.

1802. For instance, in the case of a railway which is constructed to carry passengers, they incur additional liability, do they not, on account of their so carrying passengers?—You must not ask me questions which are more of a legal tendency, and I am afraid which I cannot answer satisfactorily; but I fancy the State has imposed very severe obligations upon railways with regard to their carrying passengers, but then I apprehend there are other safeguards. I believe myself that any question of pilotage will be very largely influenced by the decisions of the insurance offices, which have large property at stake. I think it is quite competent for the offices to say that where they have covered goods or passengers they shall have

Capt. Sir *F. Arrow.*

8 April 1870.

have a pilot if they please; and the same principle is adopted now, because the ships under the Emigration Commissioners are obliged to take a number of boats and a number of stores, and are obliged to do many things which ordinary passenger ships are not obliged to do. I think that the Emigration Commissioners might very properly oblige them to take pilots in pilotage waters, but there is also the safeguard that passengers can protect themselves.

1803. I am afraid that they cannot if you do away with compulsory pilotage?—I do not see that at all.

1804. All they can do is to say that they will not go; and in the case of a railway, the railway company are the sole carriers, are they not?—No doubt, but that does not apply to ships which are not a monopoly.

1805. Colonel *Bourne.*] I think you said that in all cases, whether pilotage is free or compulsory, you would have the pilots properly qualified and licensed?—I did.

1806 Supposing that a vessel was coming into a port with an unlicensed pilot on board, having picked one up, would that man be necessarily superseded upon a licensed pilot presenting himself?—Undoubtedly.

1807. Then, with regard to steam tugs, supposing that the captain of a vessel were to employ a steam tug to tow his vessel in, would the captain of that steam tug be regarded as a licensed pilot or an unlicensed pilot?—That is a question of a good deal of difficulty; it is a question which I have asked myself over and over again, how it is to be prevented; and the only way in which I think that it can be prevented would be that the risk which the tug itself runs is so great, by undertaking the pilotage of a vessel, that it will check it in a very great measure; the tug is simply the motive power, and it is pulling behind it the other vessel; and to undertake from a vessel, with another one in tow, we will say behind it, to control all its movements, would be a task of great difficulty; and, remembering that there was a decision, I think only very lately, in one of the courts on that very question, it would incur such a heavy responsibility as almost to deter tugs from undertaking to tow ships without a pilot.

1808. Then do I correctly understand you to say that the captain of a steam tug would really be looked upon as an unlicensed pilot?—Undoubtedly.

1809. In that case he would be liable to be superseded upon a licensed pilot presenting himself, would he not?—But he is not on board the ship you see; there is the difficulty.

1810. I thought I understood you to say that upon a licensed pilot presenting himself he would supersede the unlicensed pilot?—Yes; but the man is not aboard the ship at all, he is in his tug; I think that the ship might be towed by a tug, without the necessity for employing a licensed pilot; but the liability which falls upon the tug is so great for taking that ship. If she gets into trouble that I doubt very much whether they will do it at all.

1811. Then you still hold that the captain of the tug would be looked upon as an unlicensed pilot?—If he told the captain of the ship, "I will not only tow you up to where you are going, but I will undertake to pilot your ship, and keep her clear of all danger." He would be acting as an unlicensed man, and I do not see why he should not be held responsible; but the difficulties are the liabilities are so heavy, that I think tugs will very much hesitate before they undertake such an act.

1812. Is it usual for tugs to do more than simply apply the locomotive power?—It is very unusual indeed, I believe.

1813. In regard to the superannuation fund, I think you said that you thought it would be a great injustice to discharge men on a superannuation fund of between 10*l.* and 28*l.* a year; and you said that you yourself would not do it upon that basis?—I did say so.

1814. Will you be kind enough to tell the Committee upon what basis you would do it?—I should take it upon the basis of what their earnings were, and the length of time during which they would be likely to earn that money before they would be superannuated.

1815. *Chairman.*] But I think that, in answer to a question of mine, you added that you would also have regard to the superannuation which they would be entitled to if they went on?—Yes.

1816. Colonel *Bourne.*] You are tolerably well acquainted with the Mersey, are you not?—I am tolerably well acquainted with it; I have a general knowledge of the Mersey.

1817. Do you know the size of the pilot boats which are used there?—I will not say what the exact tonnage is, but I know that they are very nice boats.

1818. Has not the tendency rather been of late to increase the size of the pilot boats employed in the Mersey?—That I do not know; but as a general question I should imagine that in the Mersey pilotage it was difficult to employ all the number of vessels which they have there; it seems to me from the range which they have to guard, that 12 vessels is a very large number to be required for it.

1819. Do you know the extent of the pilot cruising ground off the Mersey?—I think it is about 45 miles from Point Lynas to the Bell Buoy.

1820. Do you think that it would be safe for open boats to undertake the putting on board of pilots in that district?—Certainly not, in what is commonly called an open boat in anything like weather.

1821. Do you think that under a voluntary system, vessels of the class which are now used, or which are likely to be required in that district, would be likely to be kept up?—I do, because in the first place I do not think that pilotage would decrease under the voluntary system, and in the next place I think that the voluntary system generally would produce better results than any other system.

1822. Do you think that under the voluntary system as large and as effective boats would be provided?—I do not suppose that they will be perhaps such expensive boats, but I think they will be boats quite sufficient for all the service which they will have to perform; they may not be of so expensive a character, or kept in the same way, or managed with the same regard for appearances as they are now, but that the voluntary system is quite sufficient to keep good and efficient boats on, I think, is very clear.

1823. Mr. *Grieve.*] I think you stated that you did not know much of the Clyde?—I have been up it several times, but I do not profess to know much about its pilotage.

1824. Have you been up or down the river between

tween Glasgow and Greenock?—I think I came down last year.

1825. Are you aware of the distance?—I am not.

1826. You stated, did you not, that you thought that the harbour-master might regulate the traffic on the river?—I said that I should call him harbour master, because it appeared to me that it was more in the nature of a harbour-master's office than really pilotage; I mean, transporting vessels about within a limited space, and where there is no difficulty.

1827. The harbour master of Glasgow would not of course exercise any jurisdiction beyond the harbour limits?—No.

1828. Therefore it would be impossible for him to regulate the traffic for 22 or 23 miles down the river, would it not?—I only made use of the term, because I thought that the duties were more the duties of a harbour-master than they were those of an actual pilot.

1829. But you certainly agree that a harbour master's authority could not extend down 23 miles?—Certainly not, the harbour master's assistants might go any number of miles; the harbour master's assistants in the Thames go from London down below Gravesend, which is more than the distance in question; it is 26 miles.

1830. In the case of a ship coming from sea, and having a pilot on board, it would surely be the pilot's duty to regulate the ship from the sea up to Glasgow, would it not?—I think it would be the pilot's duty certainly where there are natural difficulties, but there is really no navigation in that part of the Clyde, though there are a great quantity of vessels in it.

1831. Mr. *Gourley.*] Have you many nautical men upon your board?—We are all nautical men.

1832. Do they examine the candidates for pilotage certificates?—The whole of the examinations for the Thames and the North Sea, right out to the Leman and Ower, and the channels of the Thames from Orfordness to Dungeness, are carried out by the Elder Brethren personally. They have no pilots, and they have no assistance of any sort or kind. It is done from their own positive knowledge of the channels.

1833. Is that the system which you adopt?—That is the system which we adopt, in so far as those districts immediately within our own grasp are concerned.

1834. To what description of men do you grant licenses; do you grant licenses to men other than seamen?—They are all seamen; they must have certain qualifications. For instance, none of our pilots are allowed to be examined, except they have been a certain number of years at sea, and have acquired a competent knowledge of all the channels, and have served as masters or mates in square-rigged vessels for a certain number of years.

1835. I suppose that you would consider masters and officers of ships, who have got certificates of competency, to be as well qualified to navigate in limited as in general waters?—Quite so. They are the same class of men as the pilots themselves come from.

1836. Therefore, would there be any risk whatever, either to life or property, when they were navigated by competent seamen having proper certificates?—No.

1837. Do you recommend any change in the present constitution of the Board of Elder Brethren?—I think that that is a very difficult question to answer, but it is one that is being pressed a good deal upon our consideration.

1838. Would it not be better if you had representatives from the various ports over which you have jurisdiction, for the purpose of examining and doing the work with respect to the ports?—I am not here as the representative of the Trinity House upon this point; but I think that I may fairly say that the Elder Brethren have never shown the least indisposition to do anything which was for the good of the public or of the trade. The question which has been forced upon them several times, as to whether shipowners could have a more direct voice on the board, is one which I think they themselves would have no objection to if it was put before them.

1839. And you individually think, that thus to popularise the governing body, would be beneficial?—I think that anything which popularises a body must be beneficial, unless it is attended with some manifest disadvantages.

1840. Do you consider it as easy for vessels which now are free from compulsory pilotage, to be navigated in pilotage waters, as for those which are compelled to carry pilots?—We have not found practically more accidents or difficulties regarding them.

1841. Have you not found more accidents with vessels not carrying pilots than with vessels carrying pilots?—I believe that to a very limited degree, you may say that it is so; the number of accidents which have happened under the conduct of our licensed pilots is no doubt very small indeed.

1842. And you consider the ship, and life, and property, quite as safe in the hands of properly qualified masters and officers as in the hands of a licensed pilot?—I think so; I think that you should leave it to them to say whether they require assistance, and to take it if they want it.

1843. You know the entrance to the Mersey, do you not?—Yes.

1844. Do you consider the entrance to the Mersey as difficult as the entrances to the Thames channel?—No; I stated before, that with the exception that they have no anchorages off the Mersey in particular winds (and the most dangerous prevalent winds), I do not see that there is anything in the case of the Mersey, which makes it more dangerous than any of our own channels; but if you take it altogether, as a whole, the pilotage of the two places, the Thames and the Mersey, then I apprehend that there is no sort of doubt upon the question, that the Thames and its approaches are more difficult than the Mersey and its approaches.

1845. And I suppose that in consequence of the entrances to the Mersey, being bar entrances, masters can generally keep the vessels out at sea, and would not run too near the coast?—It is clear, that if there is no anchorage, there is nothing else for them to do but to keep to sea until the water is high enough to run in upon.

1846. And I suppose that it is quite competent for the masters and officers of ships to have as good a charge over their vessels in the waters approaching the Mersey, as though the vessels were in the hands of pilots?—I see no reason to doubt that they would do so, but at the same time I have said all through, that I believe the neccessity of self interest, and of looking after property which is confided to them, will in a great

Capt. Sir F. Arrow, 8 April 1870.

great number of instances make men take pilots, although they are not compelled to take them.

1847. Do the banks at the entrance of the Mersey change oftener than in the Thames channels?—I am not very well aware of that; I believe that at times there are changes. We see reports annually of changes which take place which are very carefully looked after, but I do not apprehend that any violent changes have taken place which make it very difficult for men to navigate ships.

1848. I suppose that the navigation of the Mersey, and, in fact, of all pilotage waters, is very much simplified now in consequence of the introduction of steam tugs?—All navigation is very much simplified, and especially that of pilotage waters, because every possible means of improving the pilotage by placing lights, and beacons, and buoys, and also by the use of steam, has been going on, and is every year increasing Therefore there is no doubt at all that, taking it merely as a question of pilotage of itself, it is easier to pilot a ship now in either the Thames or the Mersey, or in any other pilotage waters, than it was 20 years ago.

1849. I suppose that masters generally depend, in a very large measure, upon the guidance of the tugs rather than upon the pilots, and that in compulsory waters the pilots depend, in a large measure, upon the guidance of the tugs, more especially at night?—They do. None know better than a shipowner that time is money; and therefore, a vessel which used to take two or three days in getting from Dungeness up to dock, will now, by the use of a tug, do it in half the time, or perhaps less, and save a day or two's wages and keep.

1850. Therefore, the master of the tug is really the pilot, is he not?—I do not apprehend that he is the pilot, and I do not apprehend that the tug will be very ready to take such a liability.

1851. Do you think that the present price which is charged for the navigator of the pilotage of the Thames is a charge beyond the value of the services rendered?—I do not think that it is, although in some sections of the Thames it possibly may be so. At any rate, it might be wise to reduce it to some little extent to get rid of this unlicensed business, which is a great objection, and I think it would be made up to the men by getting more ships.

1852. What portion of the pilotage money do the pilots themselves receive?—The only deduction which we make from the pilots is their poundage of 2½ per cent.

1853. Does the whole of the money go to the pilots?—Every shilling of it.

1854. Who pays the expense of the boats which are kept at Dungeness?—That is paid by the boarding money which is paid by the ships, and has nothing to do with the pilotage.

1855. The same as landing money. I suppose that you are aware that the shipowners have to pay for the landing of the pilots at Dungeness? It is precisely the same thing: the one is putting them ashore, and the other is putting them on board.

1856. What would be the amount of pilotage chargeable to a vessel drawing, we will say, 16 feet, going down from London to Deal without a steamer?—£. 12. 4 *s.*

1857. Do you not think that an excessive charge for the distance?—If you look at the earnings of the pilots, it does not seem to be very excessive.

1858. What is your opinion of the danger, or otherwise, of pilotage stations generally; do you think that there is much danger for vessels navigating in pilotage grounds?—It varies, no doubt, with the amount of difficulties which there are to encounter, but the very fact that you are in shoal waters, with sands and difficulties around you, necessarily supposes an amount of danger.

1859. You were asked some question with reference to vessels being sent to sea badly found; can you give the Committee any instances of vessels which have come under your knowledge, which have been sent to sea badly found?—I dare say I could give instances, but I am not prepared to do so at the present time; and the knowledge would certainly not come into my possessisn as the deputy master of the Trinity House. I know as a seaman that such things do occur, but I do not think that the Committee would get any information from me on a point of that sort, which they would not get much better from others.

1860. Is it not the fact that underwriters, and not only public underwriters, such as Lloyd's, but mutual insurance companies hold periodical surveys over all the ships which they have insured in order to insure their being sent to sea well found?—No doubt; that is for the purpose of protecting their interests.

1861. Is it not also the fact that seamen themselves exercise a certain prerogative on board ships on which they engage themselves, in order to have a certain gauge for their own safety?—I believe that they can do so by the statute; but seamen themselves are such a very improvident race, that they seldom look beyond the immediate wants of the moment.

1862. Mr. *Cave.*] Do you think that local knowledge of the river, without nautical skill and experience in the navigation and management of sailing vessels and steamers, is a sufficient qualification for a river pilot above Gravesend?—Certainly not; if they have to handle vessels of length and speed, they require some knowledge of those vessels, and a knowledge of navigation.

1863. Are there at present a sufficient number of licensed pilots stationed at Gravesend for the demand?—I think so; no complaint has ever been made of the want of them.

1864. But we have heard that watermen acting as unlicensed pilots make very large earnings; how would you account for that?—I believe that that is in this way: that one owner perhaps has a number of vessels which he keeps entirely in the hands of those men. The telegraph gives great facilities; those men know exactly when to expect those ships, and they frequently go from one ship to another, and by that means they earn a great deal more money than they would earn by merely the turn pilotage; I think that is the answer to that question.

1865. Would you think it prudent to throw open the pilotage between Gravesend and London, or if not, to license the free watermen as a body as pilots?—I do not know whether it might or might not be advisable to throw open the pilotage between Gravesend and London; I do not think that I have a sufficient knowledge of the subject, but I do not think that it is at all requisite to license the free watermen, and the free waterman only. I do not think that the free watermen have any such knowledge of the river

river as to require that they should have a monopoly of the traffic upon it.

1866. From what you said just now with regard to the employment of watermen, do you think any measure requisite for the purpose of protecting the present licensed pilots against their encroachments?—I think that the pilots require to be protected against their encroachments, and that it ought to be very stringently provided for. The Trinity House have licensed a number of those men as far as they thought was legitimately requisite for the trade, and I think beyond that they certainly should be protected if a system of limited pilotage is to go on, which I apprehend is not a question which is raised.

1867. Is there any great difficulty at present in obtaining proof of unlicensed men being in charge of vessels?—A very great difficulty; very great evasion is resorted to. They ship them in all manner of ways, and they get rid of them again in all manner of ways, and it is very difficult to get hold of them.

1868. Is it or is it not a fact that the damage which has been complained of by bargeowners has been occasioned more by vessels in charge of unlicensed pilots than by vessels in charge of licensed pilots?—I do not think so, because the complaint, I think, has only been made in cases where they thought there was a remedy; I do not think that they would bring before you a case where they knew that there was no remedy.

1869. Cases of licensed pilots were mentioned failing for 5 *l.* or 10 *l.*, and being utterly unable to meet their liabilities; are you aware of any such cases?—I will not say that it is very commonly the case, but I am very sorry to say that it is the case; and frequently when a pilot is liable for a large sum of money he simply goes through the court.

1870. Is that the case even with the best of the licensed river pilots?—I do not think that it is the case with the best of them; I think that there are a certain amount of river pilots, men who have means, who would not resort to that at all; but I am afraid that poverty forces it upon a great many of them. I do not defend the practice, far from it. I think that it is very reprehensible; but I believe that their poverty, and not their will, consents, in many cases.

1871. Would you make the same answer with regard to loss of life as you have made with regard to casualties with barges and other accidents?—I do not know the statistics.

1872. Do you think that it would be expedient to license the sea pilots as river pilots, or do you think it better to keep the two services distinct below and above Gravesend?—My own opinion (I do not know that it is one which need necessarily carry any weight with it) is that the fewer changes of pilots the better. A pilot gets on board a ship and knows the ship, and has begun to be able to handle her with something like satisfaction. And then when he comes to a certain place he is obliged to go out to give way for somebody else. But if he has a knowledge of the channels and of the pilotage, it seems to be reasonable that he should take the ship on, and so avoid the delays which occur in changing the pilot at Gravesend, which is a common source of complaint. Time and tide wait for nobody, and a man losing his tide into dock or up to a berth is a very serious matter. Many of those ships are cattle ships, and it is of the greatest importance that those animals should be landed in the shortest possible time. Sometimes at Gravesend complaints are made that ships have to wait because they cannot get a pilot, and the hour or half hour which is lost whilst they are changing the pilot is the very hour which would have enabled them to have got into their berths. I think that is a very reasonable complaint, and looking upon it also in the light that the fewer changes of pilots there are the better, if there were no vested interests at stake as there are in this case, I would rather keep one pilot than change him for another one.

1873. Do you think that there should be a limit to the liability of the pilot in case of collision under the voluntary system?—I think so. I think it would be a cruel weight to put upon the pilot that there should be an unlimited liability over his back, and that it would deaden his energies altogether.

1874. The present limit is 100 *l.*, is it not?—Yes; 100 *l.* is the present limit.

1875. Is not that proposed to be increased by the Merchant Shipping Bill?—I think not. There is a clause to insure the amount up to that by making pilots have sureties, whereby we shall have a better chance of getting the 100 *l.* than we had before.

1876. I think you said that you were satisfied with the proposed mode of compensating pilots in the event of loss?—Yes, if it is based upon their actual earnings, and not merely upon their superannuation.

1877. With regard to the harbour-master question at Swansea, the difficulty has been stated with regard to voluntary pilotage that the master of a vessel running into Swansea harbour might very likely do damage to the shipping which is in it already, and that it is very necessary that there should be great power to the harbour-master, who at present has pilots under his control, to put the ship exactly where he likes; do you think that that power could still be exercised under the voluntary system?—The power of a harbour-master is supreme the moment you get into the bounds of his district. I know of no harbour-master whose authority could be superseded, and I assure you that whenever Bills have been sent to the Board of Trade for making districts and ports where the pilotage has been under the Trinity House, we have always readily inserted clauses by which the harbour-master should have entire control over the pilots in his own authority.

1878. Would the answer to that difficulty be that if a vessel ran into Swansea Harbour without a pilot, and thereby did damage, she would be answerable for all the damage she did?—I would not say that unless the master actually disregarded all the orders of the harbour-master. I think there may be exceptional states of weather when a pilot has very little option, if he goes in at all, but to do somebody damage. It is a sort of Hobson's choice with him; it is that or worse; but if he, in disregard of the harbour-master's orders, took the harbour, or went into a place which the harbour-master told him not to go into, then I should say clearly that he was liable.

1879. But if by taking a pilot who knew the harbour, he would have come in safely, and by choosing to run the risk of taking no pilot he comes in and does damage, what would you say then?—I think that if he did so he would be liable for it.

1880. Do you think that under the voluntary system, when there would be no longer any question

Capt. Sir *F. Arrow.*

8 April 1870.

tion of damage, more masters and mates would qualify to act as pilots than do so now?—It is a question entirely for the owner, I think. It does not depend upon the masters and mates, I think.

1881. Do you think that the American plan of having the tug alongside in towing is better or worse than the European plan?—I think it depends very much upon the place that you are in; if you are in a very narrow navigation you cannot very well have the tug alongside.

1882. I suppose that by the American plan there is more command over the vessel?—There are so many plans; I think the usual plan here is really a very good one, with a hawser, with what is technically called a horse to travel over; I think that is by far the simplest plan, and it enables the ship and the tug to get apart from one another in cases of mischief or damage in the easiest possible way, which any other system does not. If you lash alongside a ship it is much more difficult to get clear of her; and if you have two hawsers it is the same. Taking it altogether, I am inclined to think that the principle of towing a-head with one hawser is the wisest either towing it at long or short scope, as the weather may be, and as the circumstances may render necessary.

1883. Do you remember the "Demerara" getting across the Bristol river?—Yes.

1884. Going round the corner the tug went one way and the ship went the other, did it not?—The tug went one way, and the ship the other; but that might have been obviated if they had had another vessel with a stern rope to her to steer her. It was want of care; it was not want of towage; you might have straightened that vessel without having a tug alongside of her.

1885. Sir *C. Wingfield.*] With reference to the Thames above Gravesend, you have probably heard that the watermen number above 400, and are said to take half the ships in the port?—I have heard so.

1886. Have you reason to think that that is correct?—I really do not know; I have no information upon the subject.

1887. I think you said just now that you were the last person who would hear much of unlicensed pilots?—I am the last person who would hear of people practising as pilots without a license.

1888. You said, in reply to the Chairman, that the Trinity House has endeavoured to fix the number of pilots in proportion to the exigencies of the trade; but assuming that it is necessary for pilots to be licensed, does not the existence of this large body of free watermen show that the Trinity House has not licensed a sufficient number for the work of that part of the river?—My answer is, that if the trade wanted more pilots, they ought to have mentioned it, which they have not done; but it appears to me that the trade wish to get this work done cheaper than it is now done. It may be an argument for revising the tariff, but I do not think that it is an argument for anything else.

1889. Do you not think that it is an argument for increasing the number of licenses, if licenses are necessary?—Then why do they not represent it to the Trinity House; we are perfectly ready to do all that we can.

1890. But it is an anomaly, is it not, that there should be the two bodies doing the same work on unequal terms, the one being a smaller body, which is not liable to supersession, and receiving a comparatively high remuneration, while the other is a larger body, liable to supersession, and receiving lower remuneration?—With regard to the last point, I think you must take that with a qualification; there are some exceptional cases where men have worked themselves into a good business with particular shipowners. But, as a rule, unlicensed men do not make more money than the licensed pilots.

1891. From a statement which has been given to me, it would seem that one earns 900*l.*, another earns 500*l.*, and that there are some eight earning 200*l.* each, but the earnings of the rest are very small, as you say?—That is a matter of choice work, I suppose. Those men are men who work with particular owners and have particular ships; in fact it is very much, I think, what is called in business "a connection" which they have got. It is the same way with our own pilots; some of our pilots earn 800*l.* or 900*l.* a year; they get a connection with shipowners, and they only get that in process of time.

1892. You said just now, I think, in answer to the honourable Member for Hull, that watermen were not employed on board vessels in addition to licensed pilots because they have a more competent knowledge of the river, but merely to lower boats, and for other work: supposing three or four large shipowners were to say that they take watermen on board expressly for the reason that they know the river better, you would admit, would you not, that the impression does prevail amongst some shipowners?—I suppose it must prevail, if you state that such is the case; but all I can say is, that it is very inconsistent with anything that I ever heard with respect to them.

1893. I mention it because it has been stated to me by some great shipowners of the port of London?—It is not within my knowledge, and I should think that it is entirely against all experience.

1894. Have you heard that out of the 72 pilots between Gravesend and London some 12 are physically so weak that they do not work in the winter months?—I am not aware of that, but I am aware of one thing, and that is that all sorts of statements are made by men who are opposed to one another in business which very often have no foundation whatever.

1895. It is of course right that proof of competency to act as a pilot should be required by masters of vessels, but since it is intended to abolish the exemption from damages, which is now enjoyed by the owner, ought you not to endeavour to give the owner as wide a range of selection as possible?—I think you are going to the extreme point, which I do not think is considered under this Bill at all, and upon that Bill you are examining me; you raise the question as to the sufficiency of the principle of supply and demand in pilotage matters, and you ask whether it should be totally without limitation; as I apprehend that that is not the question before me, I do not think that my opinion need be asked upon it, although I am of course bound to answer the question if the Chairman decides that I must do so.

1896. I would explain that I asked the question rather with reference to the inadequate number of pilots in the Thames?—I do not think that there is an inadequate number of pilots in the Thames.

1897. I understood you to say just now that the unlicensed men did a great deal of the work?—

But

But I said that that was a great deal a question of price, and that they have to do the work for a lower price.

1898. But there is work for both, is there not?—There is not full work for the Thames pilots; the licensed pilots could do more work than they do.

1899. Do you consider that those 72 men can do more work than they do?—Certainly.

1900. If there is more work for them, why do they leave so many ships to the uulicensed men?—That I cannot tell you; that is one of the things that really does not come before me; I cannot say what operates upon them, but I am satisfied that the Thames pilots can do still more work than they have at present.

1901. The rules of the Trinity House, which require service at sea for a term of three years as mate, or one year as master, and which fix the limit of age at 25 for the grant of licenses, are a complete bar to free watermen obtaining licenses, inasmuch as few of them have been at sea, and the most efficient are above 25 years of age; is not that so?—I think ability to handle a ship is of very much more consequence than merely to have a simple knowledge of the river.

1902. Even above Gravesend?—Yes.

1903. And now that steamers are so much employed?—Yes, but that does not follow; if a pilot has to take a ship, he has no option whether it is under canvas or under steam, and plenty of ships are handled under canvas right up the river.

1904. Then you have the fact that those great shipowners, as I mentioned just now, employed watermen?—You say so.

1905. The Order in Council of 1854, which licensed 23 watermen for the pilotage of the home trade steam passenger ships is a precedent for the relaxation of that rule, is it not?—It may be a precedent for a relaxation of it, but you asked me, if it gives them a better position than the fact of the men being accustomed to handle square-rigged ships, I say, "No"; on the contrary, my opinion is, that a man who is a pilot ought to be able to handle the ship in which he is.

1906. I think that as I put the question, it was whether it was necessary for a man to have been at sea to be able to navigate a ship?—I do not say that it is actually necessary, but it is highly advisable; steam power may fail at any moment.

1907. Is it likely that the Trinity House, if it be left to their discretion in the matter, will issue any more licenses, particularly with regard to the deterrent effect of the second clause of the Bill?—I do not think that we shall, as long as we have this fact before our face; that our present staff of pilots can do more work than they have to do; if it can be shown that there is more work than the pilots can do, and the trade apply for it, no doubt we should license more.

1908. But is not the conclusion irresistible that there is more work than those pilots can do, because otherwise they would certainly not leave a lot of good paying ships to the unlicensed pilots?—I believe, really, the answer to that is this: that it enters into a sea of litigation, and into a sea of trouble; and that rather than go through it they, to a certain extent, acquiesce in it; I believe that is the real fact of the case.

1909. The Shipping Act of 1854 takes cognisance of the free watermen, and designates them as unqualified pilots, in contradistinction to licensed pilots; but it allows them to take charge of ships in the absence of licensed pilots; this does amount, to a certain extent, to a recognition of the competency of those persons to pilot vessels, does it not?—All the men that we have licensed have passed at the Trinity House, and proved their competency exactly in the same way as a pilot proves his.

1910. You perhaps have seen the license which those free watermen hold from Watermen's Hall, which says that they are competent to act as watermen in navigating every kind of craft, steamers, sailing vessels, boats, and everything in the Thames. Do you think that this may be considered a good guarantee that the holder is competent to pilot ships in the river?—No, for the reason that I do not think that the Watermen's Company is a competent authority.

1911. When you say that they are not a competent authority, do you mean that they are not competent to judge of the requirements of the river?—I do not think that they are a competent authority to say whether those men are fit to navigate steamers and large vessels, though they say they are so.

1912. Have you heard that the watermen say that the licensed pilots have been in the habit of taking vessels east of Boulogne which are liable to compulsory pilotage, and foreign vessels in the Baltic trade, leaving to the watermen the British vessels in the Baltic trade, and the coasters, which do not pay so well?—No; that is exactly the knowledge which would not come to my ears.

1913. You perhaps know that what the free watermen ask, is not to receive higher remuneration, or a right to supersede others, but simply that any man who can pass an examination and prove his knowledge of the Thames above Gravesend, may receive a license, so that he may be allowed to continue to earn a living as he has done hitherto?—I express no opinion as to whether they ought or ought not to have it, but I think they should also be able to show that they are competent to handle a vessel when it is put under their charge.

1914. Are you aware that they also ask that they may not be postponed to the candidates on the Trinity House list for admission, if those candidates are men who have not been working as pilots, but who have been serving at sea?—I should rather like to answer that question, by asking another, if it was competent for me to do so here; and that would be what special reason there was why the watermen should be considered more than any class of seafaring men? I apprehend that it is a large question, and one which would not be within the competence of this Committee to deal with, but it is raised already in another way; and certainly, for my own part, I think it is a monopoly which is productive of evil rather than good to the public, and as far as the Trinity House are concerned, I do not think that we should be inclined to assist what we do not think is for the benefit of the public.

1915. Do you say that the existence of this body of men is an evil?—I do.

1916. Why is it an evil?—I do not speak in particular of the watermen, but I say that the existence of any body of unlicensed men who are in opposition, as it were, to those men who are provided for a certain service, I think is an evil.

1917. There would be, no doubt, an evil if they were competing with, and taking away work from, the other men, which the others could do; but as you have this body of men employed in doing

Capt. Sir *F. Arrow.*

8 April 1870.

doing the work of the Thames, and as they cannot be dispensed with, would it not be better to unite the two bodies and put them upon one footing?—But the pilots deny that statement. They say that the unlicensed men do take away work which they are ready and willing to do. I have heard it assumed here that this is a question of tacit consent; that the body of pilots cannot do the work; and that therefore they wink and connive at others doing it illegally; but I am told that the pilots themselves, whose interests are at stake, deny that statement.

1918. You are not prepared then to admit the correctness of the statement that there are not pilots enough to do the work of the Thames?—Certainly not.

1919. To take every ship?—I will not say every ship; but I say that if the trade of the Thames required more pilots they have only to ask the Trinity House to get more pilots; and they have never done so.

1920. I am not imputing any blame to the Trinity House; but if the shipowners have not applied to the Trinity House for more pilots, that is not in contradiction to the fact that there may be more work than the present staff of licensed pilots can perform, is it?—I think it simply means this: that they get their work done cheaper.

1921. Do you not think that a satisfactory settlement of the claims of the licensed pilots and unlicensed pilots might be arranged on this basis; that the free waterman should keep the pilotage of that class of vessels upon which they have heretofore been employed, without liability to supercession by licensed pilots; but that they should not charge higher rates than they receive now; and that this arrangement should last until the present 72 pilots are exhausted, when the entire body can be placed on a new footing?—Then we get directly to what is very objectionable; and that is making rules for one place which will not apply to others; there is always trouble in that sort of thing.

1922. But do not the circumstances of the Thames, above Gravesend, in reference to its being a mere river, and the absence of hardships and exposure and risk in a pilot's life, differ entirely from those of sea pilotage?—Undoubtedly.

1923. Ultimately, do you not think that it is possible that the number and remuneration of pilots may be left to the laws of supply and demand; the only interference of the Trinity House being to proscribe the rules by which licenses are to be granted?—I think it may be possible in time; I know that it has often been mooted whether one could make any such violent change, which I freely admit is the root of the whole thing, and whether demand and supply should not regulate themselves; but I believe that it is generally conceded that the time has not arrived when you can consider that question; and I do not know why my opinion should be wanted upon it any more than any body else's.

1924. You said, in reply to the honourable Member for Liverpool, as illustrative of the relative merits of the licensed pilots and the unlicensed pilots, that you would rather employ a doctor with a diploma than a quack; but if the State were to limit the number of diploma holders below the public requirements, then do you not think that there would be many highly qualified men practising without diplomas?—I should think it would be most certainly so, because it is quite clear that the present men could not take a tithe of the work.

1925. *Chairman.*] When do the pilots who pilot vessels by the North Channel meet their vessels?—They meet them on various parts of the coast. They meet them all the way from Dudgeon Light to Orfordness. The pilots are distributed at Yarmouth, Lowestoft, and Southwold.

1926. Are there no vessels stationed for them?—No, they use their own boats. They go cruising in their large boats.

1927. Are they very large boats?—Yes.

1928. But they are not vessels of the same class as the Dungeness vessels, are they?—No, they are cutters of 40 tons.

1929. But those are found by the men themselves, are they not?—They are found by the men themselves; they have them in shares.

1930. What is the difference of the average earnings of the pilots in the North Channel as compared to those in the South Channel?—The South Channel pilots, of whom there are 128, earn on an average 310 *l.* a year; but then you have a mileage of 93 miles, which they have to go over. The average of the North Channel pilots, of whom there are 60, is 274 *l.* a-year, but then they have a less district to pilot over; they have only 78 miles as against 93 miles.

1931. Is that 274 *l.* after deducting the expenses of the boats, or not?—Those are their average earnings without deductions.

1932. Whereas the 310 *l.*, on the other hand, is without the expense of boats?—There is no expense of boats in their case.

1933. I think that the vessels who come by the North Channel are usually of an inferior class, as compared to the others?—They are not so valuable, as a rule.

1934. And therefore a pilot could not make the same earnings under those conditions that he would in the South Channel?—He would not.

1935. Mr. *Graves.*] You have had in your mind the homeward-bound vessels, in speaking of keeping to windward in the Mersey, have you not?—Yes.

1936. Take the case of an outward-bound ship in the Mersey, which, having let go her tug at the north-west lightship, meets the wind hard in from the northward, and a heavy gale of wind follows; is she not in a very awkward position?—All he can do is to run back again, I suppose.

1937. But the bar prevents him from running back?—Then he is in a very nasty position, no doubt, if there is not water for him to run back.

1938. Practically, I presume, that you know that we have only two hours of flood and two hours of ebb upon which large vessels go out?—I am aware of that.

1939. And when once they pass the bar, and are desirous of getting back, they are practically on a lee shore with a north gale?—I think that that would require a considerable degree of judgment on the part of the person in charge of the vessel, because it is quite clear that he should not attempt to go out in such weather, unless he sees his way to getting clear away. To go out so as to be in a trap directly he gets out, is neither wise nor seamanlike.

1940. Are you aware that most of the serious accidents that occurred in the Mersey occur with ships putting back?—I am not aware of it.

1941. *Chairman.*] Are the pilots under your jurisdiction precluded from making charges for salvage?

salvage?—They are not precluded from it, but the whole salvage question with regard to pilotage, not only of the pilotage of the Trinity House, but of any other port, I think is very unsatisfactory, and it is very difficult to say where pilotage ends, and where salvage begins.

1942. Are they not allowed to make claims for salvage, without your consent?—At present the London men can make claims for salvage without our consent.

1943. But can the Dungeness men?—No, only the men of the out-ports.

1944. The Dungeness men there are prohibited from making claims for salvage without your consent?—They are, without our license.

1945. And the North Channel men the same?—Yes; but you are aware that we suggested in the Bill before the Merchant Shipping Code that there should be legislation upon that subject, that no pilot should be enabled to make a claim for salvage without the consent of the pilotage authority being first obtained.

1946. Under the voluntary system, as well as under the compulsory system?—Under any system whatever; that instead of their being the judges where salvage began, it should be a question for the pilotage authority.

Capt. Sir *F. Arrow.*

8 April 1870

1947. Do you think that that restriction should be maintained even though the pilotage was voluntary?—Undoubtedly.

1948. Mr. *Graves.*] Are you aware that that is the case with the Mersey Dock and Harbour Board?—I do not know it.

1949. Are your pilots allowed to take shares in steamers?—I am sorry to say that they do so very much against the wish and endeavour of the Trinity House to prevent it; but it is a melancholy instance that public boards are very often open to pressure that the Board of Trade refused to grant us the power which they gave to the Liverpool authorities to prevent it; I will not say from what quarter the obstacle came, but at any rate it was the Board of Trade which stopped it.

Tuesday, 26th April 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Philip Wykeham Martin.
Mr. Pemberton.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Captain Charles Henry Evans Judkins, called in; and Examined.

Captain *C. H. E. Judkins.* 26 April 1870.

1950. Mr. *Graves.*] I believe you are a Captain in the service of the British and North American Mail Steam Company?—Yes.

1951. And you command the "Scotia"?—Yes, I do.

1952. And you have had great experience of the Atlantic?—I have been crossing it for 30 years almost.

1953. Have you any idea of how many passages you have made in that time?—Between 400 and 500.

1954. I believe you have had great experience of the Mersey and the estuary of the Mersey?—I know it as far as the commander of a steamer can know it.

1955. Do you consider it is well lighted and buoyed?—Exceedingly well.

1956. Do you know of any port that is better provided in that respect?—None.

1957. Do you consider that the buoying and lighting of a port, however good they may be, are complete, without an efficient pilotage service?—No.

1958. Do you know the pilot system of Liverpool?—I have had an experience of the pilots there since 1825 when I first went to sea; I served my time out of Liverpool.

1959. You know that the system is what we call here a stationary system; the boats are on four stations?—Four stations.

1960. Do you consider that as good a mode of intercepting vessels as any other that you could adopt?—I consider that they are like beacons, the boats on their stations, and we can almost tell where we are when we see them.

1961. You find them there at all times?—I have never found any difficulty in vessels like mine.

1962. Neither day nor night?—Neither day nor night. When I have not seen the land, and have been only going by soundings when I have been rounding the Skerries, getting off the wind, I have been hovering about for an hour or two in a dense fog, and I have been pulled up by my officer singing out, when he heard I was going to make another turn, that there was a pilot boat under our stern. The pilot has heard our guns, but he could not make out the position of the ship, because I kept moving about.

1963. You have had equal experience of the New York system of pilotage, have you not?—Yes.

1964. It is not stationary there, I believe?—It is not stationary there.

1965. Will you explain in what way that system differs from the system at Liverpool?—The pilots in New York are allowed to go as far as they like; they come out to sea an immense distance; they come out as far as 400 or 500 miles in the summer season, but that is more for the cruise than anything else, I think.

1966. Do you consider that that system, as compared with the Liverpool stationary system, is equally good?—No; it is only by chance that we fall in with the pilots on those occasions; it is like a man going from New York on a pleasure excursion; he goes as far as the George Bank; and on the George Bank he is almost certain to fall in the track of steamers, and he remains there.

1967. Do you often overrun these boats?—We often get up to New York light ship in the harbour without seeing any of the pilot boats.

1968. What do you do if you miss the pilot boat outside?—We run up to the light ship, and on board the light ship there is a pilot to be had.

1969. To provide against the possibility of meeting the boats outside?—Yes.

1970. In coming into Liverpool, you can never miss the pilots?—No, I have never had occasion to get one at the light ship.

1971. In coming into Liverpool, you cannot overrun the pilots?—No; at the Bell Buoy we are certain to find one.

1972. What is your opinion generally of the pilots at Liverpool?—I have always found them in my experience a very clever set of men.

1973. Have you found them thoroughly efficient?—Thoroughly efficient. I have known instances, before I commanded a steam vessel, where a vessel has been in a gale of wind, with her yards braced by the lee, and running before it. I have seen a pilot boat sheer up alongside when we have had a whip rigged on the yard, and

and we have taken the pilot under his armpits, and dropped him into the water. I have known two men killed in that way while being taken on board a ship by the boats sheering back close, and the vessel not having time enough to save the men.

1974. Is the service one of some risk, in your opinion?—I think there is a great deal of risk with certain winds.

1975. You must have had great experience in ascertaining the opinions of the masters in the American service crossing the Atlantic; have you ever heard them make any complaint of the Liverpool pilots?—No, I never heard of a single complaint made by them.

1976. Did you ever hear any complaints of the rates of pilotage?—No.

1977. Are they much lower than the rates of the New York pilots?—Yes.

1978. Can you give the exact difference?—It is five dollars and-a-half a foot which we pay for inland-bound vessels in New York.

1979. And in Liverpool what is it?—In Liverpool it is 9 *s.*, I think; we have two or three rates in Liverpool.

1980. Do you invariably employ pilots yourself?—Yes; I have never gone into Liverpool without a pilot.

1981. Would you consider it prudent to go in or out of Liverpool without a pilot?—I would not take the risk upon myself of doing it except I could not get a pilot and it was a perfectly clear day.

1982. Do you limit that opinion to your own ship, or how far would you extend it to shipping generally; you say you would not go into or out of Liverpool without a pilot?—I speak of vessels of the same as my own ship, and of the same draught of water as she takes.

1983. Can you give the Committee any opinion as to how far it is expedient or otherwise for sailing ships in particular?—I do not think a sailing ship is justified in running down to the Bell Buoy without getting a pilot, for fear of a gale of wind coming on; gales come on there very suddenly from the North Channel, and with a strong flood-tide of 20 or 22 feet; they could not claw off again unless they could carry sail.

1984. It has been stated here that vessels, under those circumstances, could lie-to, near the Isle of Man and Holyhead?—They must not round Point Linas.

1985. Suppose a vessel running into Liverpool in heavy weather to the east of Point Linas, what would she do to pick up a pilot?—She has four stations, with the chance of getting a pilot boat at each; but the captain of a vessel would have to guide his conduct by the state of the weather and the state of the wind. It would not be safe for him to pass the Orme's Head, if it was blowing a gale of wind from the north-west, without a pilot on board; it would not do for him to run the risk of running too close on to the lee shore in the chance of finding a pilot.

1986. Supposing you had come well up towards the north-west light ship before the weight of the gale burst, and there was no pilot, what would it be open to you to do with the tide at half-ebb?—Let go the anchor, and trust to Providence; he could not get away from there with a north-west wind; a ship will not work unless she can carry canvas.

1987. Do you consider it a safe anchorage for a vessel under those circumstances?—No, there is no anchorage whatever; in fact there is no safe anchorage outside the Bell Buoy; there is ground to hold on in a fog or calm weather, where you can wait for the fog to clear up, but nothing more.

1988. Are you aware that it is proposed by the Bill upon which you are now giving evidence, that the system of what is called compulsory pilotage should be altered, and that it should be optional upon a shipowner to take a pilot or not, and if he does not take a pilot he is not to pay for one?—I have heard that it is so.

1989. Do you consider that voluntary employment is desirable?—No.

1990. Do you consider that it ought to be left to the discretion of a shipmaster to decide whether he should take a pilot or not?—I do not think you should put it in the power of the shipmaster to say that he would take the ship in himself; I do not think it is right to put a captain of a ship in such a position as to suppose he can navigate such a channel as that at the entrance of the River Mersey.

1991. Will you state why you consider that is so?—One reason is, from the great changes that have been constantly taking place in the channels. Since I have been sailing out of the port of Liverpool the only channel that we used to come in through in former years is completely blocked up, with only six feet of water; the Victoria Channel which the Cunard ships have gone through for years is now not safe for them to go through; it is now completely blocked up, and there is an angular turn made in it, in consequence of which a long ship like mine would not be able to make it.

1992. Do you consider the abandonment of compulsory pilotage at all involves the question of security of life?—I do not think it should be abolished; I think if you do not make us take pilots it will be a question of life, and I think life should not be estimated at the cost of money.

1993. You think that life is more likely to be safe and secure under the compulsory system where there is no discretion given to masters, than it would be under the voluntary system?—Yes.

1994. Is not the pecuniary liability of an owner a sufficient protection to the passengers and crew?—I should say not; I do not think it gives us any protection for the lives of the passengers or the crew, because a shipowner can ensure himself against such risks.

1995. You say that the channels are continually changing in the Mersey; do they change so much that during the time occupied in the passage to New York and back you find a change?—I cannot tell you in what time the change occurs, but I can say that I have constantly found in the regulations issued that such-and-such buoys are moved 100 fathoms further north, or 100 fathoms further west, and so on, and the lightship's head been moved very often; even the lights are altered now from what they were a few years ago; obstructions very often arise. For instance, within the last two years there was a vessel called the "Ocean Home" sunk on the bar; when one of our ships arrived, the captain was going to run her in; he missed the pilot at Point Linas, and got one at the Bell Buoy, and he thought he would be able to get in, having the mails on board; the pilot told him, "You cannot run in, there is a large ship sunk

Captain C. H. E. Judkins. 26 April 1870.

on the bar." This was a large vessel full of coal; it had sunk in consequence of a gale of wind having come on, and the steam-tug that was towing her not having the power to hold her, she lost her steerage way; the captain could have done nothing in that case.

1996. If he had no pilot on board he could not have avoided it?—No.

1997. Sir *Selwin-Ibbetson.*] He would have lost his vessel?—Yes.

1998. Mr. *Graves.*] You are aware that the masters of coasting-vessels and home-trade ships frequently become qualified for a pilot's license?—I know there is a rule regarding that, but I do not know whether they ever qualify.

1999. They have power to do it?—Yes.

2000. Would you extend that power to the masters of foreign-going vessels in a place like the Mersey?—I do not see how you are to make a pilot, unless you make him from an apprentice.

2001. Do you go against the whole principle?—I go against the whole principle; I say that you cannot make a pilot any more than you can make a seaman without you take him from the apprentice himself, and we shall make as poor pilots for the port of Liverpool as we have in the merchant service. A man and boy working seven years have an opportunity of sounding all the channels, and knowing the different qualities of the ground. The object of the master of a vessel going in and out is to go through the channel as quickly as possible, and he does not care to make any note of the channel so far as he gets safe through. I have seen several of the coasting steamers after a fog high and dry on the banks, in consequence of having had no pilots.

2002. As long as the master of a coasting steamer can see the landmarks and see the buoys, I presume you would consider him qualified to act as a pilot?—Yes; if he could see the buoys.

2003. But when he is unable in thick weather to see the buoys, he is unable to act as a pilot?—The atmosphere around the port of Liverpool is peculiar; you may have it beautiful and clear all overhead, and yet you may have a low haze so that you can discover no object through the haze; you will have a low haze so that you cannot pick out a church or a lighthouse, or any other object by day.

2004. Then where the master of a home trade vessel is unable to see the marks in that hazy weather, do you consider that his ship and the lives of those on board are as safe in his hands as they would be in the hands of a regular qualified licensed pilot?—No.

2005. Is there any port to which you have been in the habit of trading more dangerous in its navigation than the Mersey?—None whatever. I have been as a young man in former years in most of the ports that were in those days ports of note, such as Bombay, Calcutta, the American coast, Charlestown, and all those places; I consider Calcutta and Liverpool about equal.

2006. Would you consider them the two worst ports of any magnitude in the world?—Yes; for the last 30 years I have had nothing to do but with Halifax, Boston, Liverpool and New York.

2007. Do your complaints, with reference to the dangers of the navigation, refer to the outside portion of the Mersey or the inside, what we may call the harbour of the Mersey, or to both?—I think that we require a pilot from the moment we pass the north-west light ship until we get into our dock at Liverpool, or to our anchorage.

2008. Is there much skill required when you get inside the rock?—Yes, there would be if a strange master was going to his dock; it depends upon what dock he is going to; I know if I am going into the Canada Dock that I must run my ship stem on to the north pier, keeping way upon her; then I shall fetch the north pier without doing myself injury, and so get my rope on board; but if a stranger comes along and sheers his ship in a line with the pier there is a set of the tide there so strong that no hawser will hold the bow of the ship after she takes her sheer. In the inside part of the Mersey, along the dock walls, the tide is running down three-quarters of an hour before high water, but you find in the middle of the river that it is running up a strong flood; when a stranger would think he has got a flood tide along the wall of the dock, he would find that it was running a strong ebb, two or three knots an hour; it varies more or less with the wind.

2009. Are we to understand that the sets of the tides differ at the various docks?—The sets of the tides differ at the various docks; from some of the docks it will run from the Prince's pier right over to the Cheshire shore; from the Prince's pier and the St. George's Dock pier your ship will drift over towards Birkenhead, to Mr. Laird's dockyard; and so, higher up, you have the Pluckington Bank; that changes the tide again.

2010. Are the difficulties so great that they could not be overcome by any harbour regulations, or printed instructions?—I do not think that any instructions could be of any use; you have to act upon the moment; it is decision which makes you do your work perfectly. Sometimes, in going to my buoy, the tide will take hold of me, and no power on earth that I am master of will make me catch that buoy fairly; and at other times I can go to it and take it up as easily as possible; the tide will take hold of me at the stern, and the tide will take hold of me at the bow, the two opposites; and I twist round at the danger of fouling some other ship at anchor.

2011. Is it your opinion that vessels coming up without pilots, encountering those difficulties, would be more liable to meet with accident than if they were in charge of pilots?—There would be more risk in the Liverpool river than we have ever seen yet if there is not compulsory pilotage.

2012. *Chairman.*] That is if pilots are not employed?—If pilots are not employed.

2013. Mr. *Graves.*] Do you consider that the Liverpool system could be fairly maintained upon the voluntary principle, that is, making it optional with a shipowner to take a pilot or not?—No, I think not; I hear remarks made such as this, "Oh, if we get non-compulsory pilotage, you will get pilots down at the old Head of Kinsale; or you will get pilots off ——, and we do not want pilots there." For instance, many ships would not take them there; a sailing vessel would not want to take a man on board at Kinsale, to keep him three or four days before he arrives at the place where he is of any use.

2014. I speak now more with reference to the cost of maintaining the service; do you consider that the service could be kept up in its present high state of efficiency if the revenue was materially reduced?—No, I think not; I think that many masters of vessels, from the cupidity of their owners and from their owners finding fault with

with them for not taking the ships in themselves, would be induced to incur the risk of taking them in. They may get in two or three times successfully. I believe that, unless you make all ships pay, you cannot keep up the system that we have at present.

2015. I presume you would be of opinion that, where the service is maintained for the good of the whole community, it is not unreasonable that the whole community should contribute to it?—Yes.

2016. But you would not give to the masters the option of saying, "In fine weather we will not take a pilot, but in bad weather we will take a pilot"?—No; if pilots get into the habit of finding out that the vessels belonging to a certain firm never take pilots, when they see that vessel away to leeward they will not go down to her, and perhaps at that moment the men would give anything to have a pilot; they will say, "No, she is such-and-such a vessel, belonging to such-and-such a man, and never takes a pilot." In the same way at present, if they see a Glasgow boat coming up, no pilot goes to look for a Glasgow boat.

2017. Why?—Because those masters never navigate the boats in themselves. The Isle of Man boats, and such boats as those, I do not believe take pilots. They would not look for a boat coming from Beaumaris; they would not look after vessels of that class.

2018. It has been proposed to make up any deficiency of revenue that might occur by the reduction of the number of pilots; do you consider that a desirable mode of dealing with the pilotage service?—Certainly not. I do not suppose I exaggerate when I say that I have seen as many as 250 vessels arrive in Liverpool on one tide. After a strong spell of easterly winds, we get a south-west wind in the mouth of the channel, and the ships come up hand-over-hand; they come up so rapidly, that if you had not a sufficient number of pilots you could not give them each a pilot.

2019. So that, in order to have an efficient service to meet all the requirements of the trade of the port, it is necessary to keep the number up to the maximum of vessels that would come in in any one tide?—Yes. The number of vessels may have been reduced since steamers have so largely increased. When steam was in its infancy, I have seen 300 vessels leave the Mersey in one tide.

2020. *Chairman.*] But not lately?—Not lately, because I have not been so much at home as I used to be. I am only at home a week every voyage. I have a week in New York, and a week in Liverpool.

2021. Mr. *Graves.*] What is your practice with regard to the management of your vessel when a pilot comes on board; do you hand her over to him to give his orders as he likes?—No; I never considered a pilot as taking charge of my ship at all. All I do is to act as the master of the vessel, but he pilots. The duties of the master of a vessel and the question of pilotage are very different. A man comes to direct me, and show me the way through a narrow channel which I can have no knowledge of, because every time that I go up and down the channel it does not occupy me much more than 40 minutes. I know that my vessel has been taken safely through by the pilot, but what have I learnt of the channel? Nothing whatever, except I can see the marks put on each side of me and I can go through them; I can learn nothing of the channel.

2022. You would consider that a master is better acquainted with the peculiarities and capabilities of his vessel, and that under no circumstances should he ever part with the command of her?—My duty is to stand near my pilot in a steamship, and to see what he is doing, and when his orders are that the boat is to go slower or faster, or if he wants this thing done or that thing done, it is my duty to see it performed as readily and quickly as possible; my pilot never touches the engine, that is all done by me; and in all well-regulated ships, on going to a port or anywhere, the pilot never touches or has any control over the engine; he only asks me to do so-and-so.

2023. You have had great experience at Queenstown, have you not?—Yes.

2024. Are you aware that the system there is a voluntary one?—I believe so.

2025. Is it a difficult port to go in and out of?—Not as long as you can see we have our own pilots and men appointed by the Queenstown Commissioners, and we employ them ourselves; they are kept at the particular stations to wait for our boats, and we take them on board on our homeward passage. On landing the mails, I take a pilot on board, and that man comes up with my ship, say on a Friday, and goes down with our outgoing ship on the Tuesday, so that if it should be foggy so that the master would not know the headlands, though he may see the loom of the land, the pilot points them out to him, and if he does not know the exact position of the land the pilot would know it, and for that reason we carry him down to save our time, so to be in Queenstown to get the mails at the stated hours.

2026. So far as the mere navigation of Queenstown is concerned in fine weather, there is no difficulty in going in?—No, there is no bar there. I consider that at any harbour where there is no bar, a shipmaster may run in if he has been there before.

2027. Do the pilots there partake more of the fisherman class than the class of Liverpool pilots?—They are not of the same class as the Liverpool pilots by any means. In thick weather, when I have not taken hold of the lighthouse and have been in the proximity of the Dant Rock, I have taken a fisherman and trusted to him, and sheered in to get hold of the land. I look out and see white water breaking over a rock; he says, "That is Point So-and-so," Dog Nose, or something like that; I could not have told it but by that means; I have been able to get to the lighthouse and have got my tender alongside.

2028. Do you find the pilot boats off the harbour going from Liverpool to Queenstown?—They are generally cruising between the Dant Rock down to Kinsale, and even as far as Cape Clear.

2029. They have some large cutters and schooners in the service?—Yes.

2030. Are the cutters and schooners owned by the pilots themselves?—They are owned by Lloyd's agents, and so forth, different agencies, and they are sent out principally to intercept vessels that are coming home with cargoes, and which are making for the port of Queenstown for orders.

2031. Their business is not confined to mere pilotage?—No. Last summer I had a telegram sent after me by steamboat after I left Liverpool,

Captain *C. H. E. Judkins.*

26 April 1870.

to tell me not to attempt the harbour of Queenstown, it was so full of vessels waiting for orders that there was not anchorage for me. That was last summer. You may recollect the time: it was a very fine day on the Sunday, and that night the gale came on, and there were a number of wrecks in the channel.

2032. These pilot boats are for carrying out the private business of the owners, as well as for the pilotage service?—Yes.

2033. *Chairman.*] But mainly for pilotage?—They are sent out with these orders. They run after every vessel they see in the offing.

2034. Mr. *Graves.*] But a great number of these pilots have the mere ordinary four-oared boats?—The four-oared boats are all off the harbour; the limit of the pilotage of Queenstown extends a very short distance; you are outside the lighthouse, and the limits of the pilotage do not go so far as the Dant Rock; the Dant Rock is four miles.

2035. That is the limit?—That is not in the limits of the pilotage, it is outside the limits, and it is outside the port. That is the reason we cannot get a light placed upon it, because the Commissioners say that on that side it is out of their jurisdiction, and the Admiralty say that it is out of their jurisdiction, so that we have nothing but a buoy on it.

2036. Will you favour the Committee with an opinion as to how far the service which you have been describing as existing at Queenstown, would be suitable for Liverpool?—It would not answer at all. If you want to sacrifice life, take away the Liverpool pilots, and put it on the non-compulsory system, and then you will see what it will be; there will be more collisions taking place, and more accidents between the Bell Buoy of Liverpool, and the Rock Light than there ever has been known since Liverpool has been a port. When we are sailing through these channels, when you are surrounded by fleets of these vessels, the question arises, Which way is that fellow going to stand; is he going across the channel, or going to tack? Then the pilot knows how much you may sheer on one side to cross that vessel, but the master would not know it, nor cannot know it; he may know it theoretically, but not practically.

2037. You are so satisfied with the present system in Liverpool, that you do not see any way in which it could be improved?—In my experience, I can see no way. I would not change the system; you may improve upon it, but you must not alter the system.

2038. Is that the general opinion of the commanders of the Cunard service?—I think so.

2039. Mr. *Wykeham Martin.*] If one of these vessels whose owner never takes a pilot, were to put up a signal for a pilot, I suppose a pilot would go to him?—He may do so, but perhaps he would not go to it; if he could see another vessel that he was sure of, and it was a bigger one, he would go for the bigger ship.

2040. Could he do that under the present system?—No; by the present regulation every ship can be telegraphed to Liverpool from the moment she passes Point Linas, whether she has a pilot on board or not. Whenever a pilot boards a ship, he hoists the number of his boat under the English ensign, at the staff end or the gaff end, and that is kept flying past every station he may make, and you will find in the Liverpool Exchange a notice, "Scotia coming in, has got a pilot," or "Scotia coming in, has not got a pilot," and so on; and these pilots themselves can be told that a vessel is coming in and has not got a pilot.

2041. Colonel *Bourne.*] That is by signal?—Yes; they have the charts which are laid with squares, and they can tell you the number of the square on which an accident has occurred; on a certain square they will tell you that a vessel is sunk; they will telegraph that to a pilot though he has not been in Liverpool since the vessel was sunk there.

2042. He knows by that exactly where it is?—Yes.

2043. Mr. *Stevenson.*] I presume in any case, whether pilotage was made voluntary or not, you would always employ a pilot?—I would not take the risk myself of running a vessel into the Port of Liverpool, without a pilot on board, unless the weather was very fine, and it was the top of high water and I could see the mark on every buoy. In the 30 years of my experience in the Cunard service, there has only been one instance of one of our captains coming in without a pilot.

2044. I presume you do not stand alone in that understanding of your responsibility; most ship captains are of the same mind in that respect?—I cannot say what other people's minds are; that is my mind.

2045. You attach great importance to having a properly trained pilot service by means of apprenticeship?—Yes.

2046. You are aware that the Bill does not propose to discontinue or abolish that mode of training pilots?—I do not know it, but I think you cannot make a pilot unless you teach him when he is young, and not only that, after he is a pilot he has the different grades to go up before he can take hold of such a ship as mine. He is only allowed to pilot vessels of a certain size, after a number of years' experience, or when he has shown by his behaviour, that he is capable of doing.

2047. You did not advert to the circumstance that the simple alteration of pilots from compulsory pilots to voluntary pilots, does not imply any different mode of training pilots, or of regulating the pilotage service?—I do not think you could keep up the apprentice system unless you had somebody to take charge of the men, and show that they can be made pilots of. If you make it non-compulsory, I do not think that a man who is going out of the harbour of Liverpool to gain his livelihood by pilotage, unless you compel him to take apprentices, would do it; he does not want to keep a boy and teach him for seven years unless he is obliged to do so.

2048. You assume that there would be very little employment for pilots at the port of Liverpool if pilotage is made voluntary?—I know from my experience that some of us think that we are very clever men, and I think many men would be induced when they are young to take risks which they would not take when they were older; that for the mere *éclât* of running a vessel into Liverpool they would take the risk of trying it; and to gain the goodwill of their employer by saving the pilotage money, they would endeavour to run her in. I do not think that it should be left to the option of the captain of a ship upon the money question with the danger of sacrificing human life.

2049. According to that view you would disapprove of the exemptions from compulsory pilotage which now prevail; you would go back to the system of legalised compulsion, without any exemptions

exemptions whatever?—I should say so, for this reason. On looking over some reports, I have found that during the whole of last year there was only one ship lost going into the port of Liverpool with a pilot; there were 50 or 60 ships lost, of a smaller class, of the description you speak of, that tried to get in without pilots; they were composed of schooners, flats, and such like vessels. The greater number that tried to get in without pilots were lost.

2050. You would recommend that this Bill should go in the opposite direction, and go back to a system of universal compulsion?—I want the present system. I do not want to go back. I want it to be compulsory, and that all people should pay in order to support a sufficient number of pilots, and to keep up the class of men that we have at present in Liverpool. I have heard many people say that they are not so good as I represent, but I beg to differ from them as I have had a great deal of experience with them. It is very easy for the owner of a ship to say, if his ship has met with an accident, such as a bump against the pier head, that it is the stupidity of the pilot, and that he would have done better without the pilot. They are apt to say, "My master would have brought the ship alongside without doing that injury;" he cannot tell that till it is over; the tides take hold of your ship, and the owners do not know one-half of the anxiety that a man has who has got charge of a ship at those times.

2051. You advocate compulsion on the ground of security to life?—Yes.

2052. Life is as valuable on a small ship as it is on a large one, is it not?—Yes; but I do not think that the sailors on board small ships think so much of the risk to their own lives as a captain of a ship would think of the risk to those of whom he has got the charge in the shape of passengers. A sailor does not think of the danger he runs until he finds himself in it, and then he cannot help himself.

2053. I still gather from your evidence that it points to the restoration of a system of complete compulsion that all vessels, whatever their size, should be compelled to carry pilots?—I should say so, to keep up an efficient system.

2054. Are you aware that though this system of compulsion is abolished, the authorities who regulate the pilotage service would still have the same control as they have now to appoint the stations of the pilot vessels, and the same system of bye-laws and regulations as they have at present, because your evidence seems to assume that the pilotage system would come to an end?—It seems very strange, if you are going to compel a pilot to go out and not to compel me to take him. It is compulsory on the part of the pilot, but it is not compulsory upon me.

2055. That is the proposal of the Bill?—Yes; I do not think you can ever get the same class of men; you will never get men to go out the distances they do now. They say they will; but wait till the winter months and the bad weather come on, and we shall not find them very willing to do so then.

2056. They would hold their certificate to carry on the business of a pilot, upon the condition of their being upon the station where they are required?—A certificate is not a guarantee.

2057. Would you not have confidence in the persons who regulate the pilots for the port of Liverpool?—I have confidence in them, because I know that the pilot system at present in Liverpool cannot be better. I cannot conceive anything that you can improve upon in it. There are some little local matters, such as the paying and so forth, which I know nothing about, but with regard to the safety of life and property you cannot have a better pilotage than you have at the present moment.

2058. If this Bill were passed, this pilotage which you say is so efficient, would be worked by precisely the same men and administered by precisely the same authorities?—I question that; it would continue as long as these men will live; you must recollect that these men we have now are seven years apprentices; wait for seven years after you pass your Bill, and show me men as good as the present ones.

2059. Perhaps you are not aware that in districts where pilotage has always been voluntary, there has been no difficulty in obtaining a succession of apprentices?—I can speak of nothing more than the ports I am in the habit of sailing to for the last 30 years, namely, Liverpool, Queenstown, Boston, and New York.

2060. You mentioned a case which used to arise of a large fleet of vessels which have been windbound in the Channel arriving altogether?—Yes, coming up all on one tide.

2061. Does not the change of the trade from sail to steam, tend to diminish that accumulation of vessels?—The American War diminished a great many of our sailing ships from the port of Liverpool, and our docks that used to be crowded with American ships are not so crowded now.

2062. The trade is being carried on by steamers?—The trade to a certain extent is being carried on by steamers.

2063. The steamers do not arrive in fleets as the sailing ships used to do?—No.

2064. So that the necessity does not arise for keeping up a very large number of pilots to be in readiness to meet a great fleet?—I cannot tell what number of pilots you have got in Liverpool, but I can only say that I have never found the want of a pilot. I have always been able to find one in all weathers, and from what I have known of my younger days in sailing ships, it was just the same then as it is now.

2065. Do you think that it would ever be possible to keep up such a staff of pilots as would meet such an exceptional case as a large number of vessels arriving at one time?—Before steam was introduced I have seen vessels in Liverpool that could not go to sea for three months; they actually lay in the dock nearly three months. I can quote an instance of a vessel leaving the port of Liverpool, making her voyage to Jamaica, and coming back. Two ships of the same owner left the same day; one put back in a gale of wind; the captain of the other vessel persevered; he went down the North Channel, made his voyage to Jamaica, and came back loaded with sugar, and found his consort not able to get out.

2066. The introduction of steam will enable a single pilot to pilot more tonnage than he used to be able to do?—A single pilot pilots a 4,000 ton ship, whereas a sailing vessel is a much smaller vessel, so that that man is doing what, if the tonnage was divided, would have been done by four ships and would have required four pilots.

2067. That shows that the same number of pilots can do a larger amount of work; is the taking of a pilot upon entering the port of New York voluntary, or compulsory?—It is Compulsory; we are compelled to take a pilot.

2068. *Chairman.*]

Captain *C. H. E. Judkins.*

26 April 1870.

2068. *Chairman.*] You are compelled to pay?—Yes, if he speaks us.

2069. You may employ him or not, as you like?—No, we must take a pilot.

2070. Mr. *Price.*] I did not hear the first part of your evidence, but I understood you to say when I came in that it was absolutely necessary to have pilots for the safe navigation of the Mersey?—Yes.

2071. And that opinion is founded upon your long experience?—Yes.

2072. Nobody would doubt on such a matter as that, that you speak with the greatest possible authority, but you also said that, in your opinion, the voluntary system of pilotage could not be maintained in Liverpool?—I do not think that it could be maintained as it is at present so securely.

2073. Is that opinion also founded upon your own personal experience?—Yes.

2074. What experience have you had of voluntary pilotage?—We have never had such a thing as voluntary pilotage in Liverpool that I know of; I believe there are a certain class of vessels which are so small that they can come into the port of Liverpool without a pilot.

2075. That opinion, in point of fact, is not founded upon your own personal experience?—No, because we have always had compulsory pilotage.

2076. Therefore, you only know what prevails under one condition of things, but you do not know what will prevail under the other condition; that is a mere surmise?—No, we will not know till we try it.

2077. Are you aware that there are some places where voluntary pilotage has been tried?—Yes; but not such places as Liverpool, and not such navigation as the port of Liverpool. There is no other port round the whole coast of Great Britain so dangerous as Liverpool with the tide running in as does there.

2078. Are you at all acquainted with the navigation of the Bristol Channel?—I know the peculiarity of the tides; I have never been up it; I know the height and the rise and fall of the tide; it is very great there, but then the Bristol Channel is a very short channel, and in the Bristol river you have the land on each side of you; you cannot lose your landmarks.

2079. You say that you are aware of the peculiar nature of the tides in the Bristol Channel?—Yes, I know their peculiar nature from their rise.

2080. And the rapidity of the current?—Yes.

2081. Supposing you heard that in any part of that channel there had been the system of voluntary pilotage at work for some years, and that there had never been any scarcity of pilots, or any difficulty in obtaining accomplished pilots, would it at all modify your opinion?—I fancy that Bristol has nothing like the quantity of traffic we have at Liverpool; there is not the same number of vessels.

2082. Supposing in a channel where there was only a small trade there was always an ample supply of pilots, would not you say, *à fortiori*, that there would be an adequate supply in a channel where there was a very large trade?—It must depend upon whether the station at which you would be waiting for a pilot is a safe place or not; if the ports you allude to have entrances such as the Liverpool river, you would not have as many pilots outside waiting for vessels as at the present moment.

2083. You would have no objection to a system of voluntary pilotage, supposing you were confident in your own mind that you would find a pilot where you wanted him?—I do not think that you could keep up an efficient supply of pilots.

2084. It being done in other channels, and there being no great difficulty about it, I want you to show me what peculiarity there is in Liverpool, or in the people about Liverpool, or in the seafaring men of Liverpool, that should prevent them doing there what is done in other places?—In Liverpool we have a great many things by which people may obtain a living besides being a pilot, and therefore we should have a class of pilots in Liverpool who would be a very inferior set of men to the present ones; now they are brought up as pilots after being first apprentices.

2085. I hope you do not think that I am pressing you too much upon this point, but I am told that there are always as many first-class steamers going out of Liverpool as are wanted to carry passengers from there to New York?—No, we cannot get the steamers built fast enough now, we are waiting for vessels which are building in the Clyde to conduct the present emigration trade.

2086. We do not hear of many passengers who want to go to America not being able to go there because there is no shipping to take them?—They would rather have a greater choice.

2087. There is no difficulty in finding men to navigate the ships, is there?—No.

2088. Why should there be any difficulty in finding pilots to pilot them?—A pilot navigating a ship is totally different in point of principle altogether to the captain of a ship.

2089. You told us that in Queenstown there was a system of voluntary pilotage in force?—As far as I know; I never had to take pilots there, except those provided by our own company, and we have had a selection made of them by the harbour-master, and the commissioners, and the board of pilots in Queenstown; men are appointed, and those men are in our pay and at our stations waiting for our boats.

2090. You give a very good reason for keeping your own pilots there; but as you have been so frequently at Liverpool, do you know of any instances of other ships, not being of the Cunard line, who, going to Queenstown, could not avail themselves of pilots?—No; I know nothing of other ships; and you must remember this, that I have been carrying the mail, and my time in either port is very limited; I have only to go in and go out, and remain there only a few hours, therefore I can know nothing of the internal arrangements of the port at all, and on our homeward voyage we are only there 20 minutes; we put the mails in the boats and away we go; we do not go into the harbour in fine weather.

2091. Taking the whole tenour of your evidence it amounts to this, that you have had a large experience of the system of compulsory pilotage, and you are satisfied with that system?—Yes.

2092. You have not had a large experience of the system of voluntary pilotage at all, but you are somewhat afraid that it might not be equally successful?—Yes.

2093. But the one opinion is founded upon experience, and the other is not founded upon experience?—That is so.

2094. Sir *Selwin-Ibbetson.*] You said, in answer to

to the honourable Member for Gloucester, that your opinion as to the navigation of the Bristol Channel was not founded on experience, but your knowledge tells you, I believe, that the navigation of the Bristol Channel is not in the same way dangerous as the navigation of the entrance to the Mersey?—I do not think it is.

2095. When you have to navigate the entrance of a river where you can see the land on both sides in ordinary weather, it is not so dangerous as coming into a place where you are in the open for a long time?—No.

2096. Therefore, though the voluntary system may apply well to the Bristol Channel, it does not apply to the entrance of the Mersey?—No.

2097. You say you have never heard of any difficulty in finding pilots in entering the Mersey in all weathers?—I never have.

2098. And you attribute that to a certain extent to the security there is on both sides; the pilot knows that he must be taken?—Yes, the pilot knows that he must be taken.

2099. And the pilot is certain of employment in all weathers?—Yes, if he sees a ship he is certain of employment.

2100. Do you think that if there were a voluntary system in Liverpool, pilots would be induced to go out on a dangerous coast far enough to meet the requirements of the trade?—I do not think they would; I think they would find it so bad that they would run in for shelter.

2101. That is where it is only voluntary on the part of the master?—Yes; if they knew they were to get some recompense they would persevere.

2102. You think also, that by degrees, if the voluntary system were adopted, the efficiency of the pilots would fall off?—I think so. I think that the present training would cease.

2103. Under those circumstances, considering the dangerous navigation of the Mersey, a greater number of accidents might be looked for?—Yes, I am certain of that.

2104. Do you think that we might look to a large number of vessels risking the dangers of that navigation and going in without pilots, should their employment not be compulsory?—You would not find the masters in a company such as I serve going without a pilot, because the question of pilotage would be of no moment to them; but there are owners in Liverpool who would look nasty at their captains if they put them to the expense of pilotage.

2105. I think you said that the captains of the Beaumaris boats are in the habit of running into the Mersey without pilots?—Yes; I have been a passenger in the Beaumaris boat and I have never seen a pilot on board; they may have had a man who acted as a pilot, but not a Liverpool regulated pilot.

2106. Is it not frequently the case with those vessels which are making constant voyages that they have some sailor on board whom they would call a pilot?—Yes, such as you would have on board a yacht.

2107. Now, with regard to what you said about the pilot being your guide, though he does not take the responsibility, when you have a pilot on board you do not throw over the responsibility on to him?—No man takes the ship out of my hands till I return her to her owner.

2108. By standing by the pilot you carry out his wishes or orders?—Yes, anything he wants done I generally order myself or I pass it through my officers.

2109. Would you consider that you were justified in acting against the pilot's orders if, from the knowledge of your vessel, you thought it wrong to carry out his orders?—I should say to the pilot, "I think you are wrong;" but I would never take the responsibility off the pilot.

2110. Sir *John Hay.*] I think I understood you to say that there had been only one ship lost at Liverpool last year with a pilot on board, and that 59 or 60 had been lost which were without pilots?—Yes.

2111. Probably those ships which were lost without pilots were ships of a small size?—They were coasting vessels.

2112. And therefore, on the whole, they were ships which ought to have been more easily navigated in safety had they had the same appliances and skill?—Certainly; a small draught of water would require a greater space to navigate over.

2113. And a wider channel?—Yes.

2114. Therefore these vessels which were more easily navigated, were lost in consequence of the absence of a pilot?—Yes.

2115. And it is to be supposed that they would have been saved had the pilot been on board?—Yes.

2116. Looking to that fact, does it not seem to you reasonable to suppose that it would have been an advantage to the shipping of the country had these vessels been compelled to take a pilot?—It would have saved the loss of life; I look upon pilotage as much a question of saving life as anything else.

2117. You spoke of certain owners who might look nasty at their captains if they put them to the expenditure of a pilot, and did not themselves take the risk of running the ship in without the service of a pilot?—Yes.

2118. The owner in that case ordinarily has his own risk covered by marine insurance?—He could do it.

2119. And the probability is that he might do it?—Yes; if the captain said, "I can bring in my ship without a pilot," the owner, to sleep quietly and feel easy, might go and insure the vessel, no doubt.

2120. Therefore the owner has not the same pecuniary interest in the compulsory pilotage as the country has, and as the mariners who navigate their ships have?—No.

2121. Therefore, I think, on the whole, your argument would rather go to show that it would be desirable for the advantage and the safety of ships, and for the safety of life at sea, that pilotage should in all cases be compulsory?—Yes; that is my idea.

2122. When we have arrived at our age at sea we probably are more cautious and would be happy to employ a pilot?—Yes.

2123. But there are a number of men in our profession who, being younger or having less experience, have what we call a happy-go-lucky character, and who would naturally not care so much about taking pilots, and who would like the honour and credit of taking their ships in?—Yes.

2124. And yet knowing so well as you do the port of Liverpool, you conceive it to be quite impossible to anybody who is not devoting himself solely and entirely to pilotage to be a competent pilot for that port?—I have been going every five weeks for 30 years, or nearly so; I

Captain *C. H. E. Judkins.*

26 April 1870.

have had one or two stoppages. During the Crimean War I had a spell of staying on shore; but I have been going twice every five weeks on the service, and I know no more about the navigation of the channel of Liverpool than if I had never seen it, except this, that I see my buoys and my lightships as I pass them; I have stood by my pilot and acted under his orders, and have seen that everything he wanted to be done was promptly and strictly obeyed.

2125. And in the majority of cases the atmosphere is not so clear as to enable you to take advantage of that slight knowledge which you possess?—Certainly not; because the banks are so hazy, as every seafaring man knows, that it obstructs your knowledge of any marks which you might otherwise see; you cannot see the Lancashire shore, for instance. The pilot makes the Bell Buoy; he knows the tide, and he sings out, "Look out there, you will see a buoy on your starboard or port-bow immediately." That directs the attention of the men on the look-out, and so we know we are going on safely from his directions, and from his knowledge of how long or short a distance he has to go.

2126. You do not think it possible to suppose that competent pilots will devote themselves to so hazardous a life if their reward were to be precarious?—I do not think that they would; I think that a man has so many ways of getting a livelihood that he would not undertake the risk of a pilot if he could not make a handsome livelihood by it.

2127. For that reason, as well as the other reason you gave with reference to the loss of life and shipwreck, you think it desirable that pilotage should be compulsory?—As far as Liverpool goes, but I have nothing to say as to any other port; I came to give evidence with regard to the port of Liverpool.

2128. Arguing by analogy, I suppose, you would consider that what gave good and well-qualified and skilful pilots to Liverpool, would also give good and well-qualified and skilful pilots for the other ports?—Yes, and good pay.

2129. And certain employment?—Yes; in all cases I should say that certain employment is far better than chance employment, although for the time being you might get a little more; if we have non-compulsory pilotage we shall have ships driven down into the bay, and then the pilots will not go on board without they make a very good bargain, and it will almost amount to salvage.

2130. That is not the time you would desire to be making a bargain?—No.

2131. With reference to the responsibility of the captain and the pilot, I suppose that in a well-found ship, the regulation which obtains in the navy would obtain there. The regulation I refer to is this: "The captain is to order everything that relates to the navigating of the ship to be performed as the pilot shall require, but nevertheless he and the master are to attend particularly to his conduct, and if from his or the master's observations he shall have reason to believe the pilot not qualified to conduct the ship, or that he is running her into danger he is to remove him from his charge and to take such measures for the safety of the ship as circumstances may require, noting the time of the pilot's being so removed in the ship's log-book"?—That is precisely our system; throughout the Cunard service it is so.

2132. I suppose the only order the pilot gives, excepting through you or the officer of the watch, is the immediate order to the quartermaster to starboard or port. The order for the steering of the ship is given to the man in the immediate charge of the helm?—Yes; in our ships we have a telegraph from the bridge to the man at the wheel; an officer stands with the telegraph in his hand; the pilot says to him "starboard" or "port;" he signals the man, and it is immediately answered.

2133. That order does not pass through the captain?—No.

2134. But with reference to the speed of the ship, or with reference to the anchoring of the ship or the taking off canvas, that is done by the captain in consequence of the recommendation of the pilot?—Yes.

2135. Which is so far an order from the pilot that the captain takes considerable risk if he does not obey the instructions?—Yes, if the ship is coming up with a strong breeze from the westward, and the pilot knows he is too late to save his tide over the bar he gives his order to shorten sail, and the captain will see it done; it may be an order to tack off and on under a doubled-reefed topsail, or under reefed topsails, or fifty things of that kind; that is all done under the advice of the captain.

2136. We will assume a pilot not knowing a particular ship, and the captain seeing that she was uneasy under such low sail, or would carry such high sail, what would he do?—Then he would arrange with the pilot what was necessary for the safety of the ship.

2137. Therefore the captain does not give up his responsibility, but he takes a very serious responsibility if he goes against the opinion of the pilot?—Yes. Now, if you make it non-compulsory pilotage, I can give an instance where you have the danger at once. A captain comes up with his ship, and he does not care to have a pilot; the pilots will not go so far out as they do now. I will instance, for example, the case of the "Royal Charter;" if she had had a pilot on board, that ship would not have been lost if the captain had got his pilot at Point Linas, where he missed him in the fog, not being able to see the pilot boat near him; the moment the pilot got on board he would have said, "Captain, heave your ship about on the other tack," and he would not have driven ashore before he rounded the point. After he rounded the point, he tried to get a pilot at the next station, the gale increased, and he had not the power to get off.

2138. You think that under the non-compulsory system, there would be no pilot station at Point Linas?—Pilots would be allowed to go anywhere. We know the moment we pass the rock, two miles from the Skerries, we can haul up and run right into Point Linas, and if we do not fall in with a boarding boat, we meet a boat who will tell us where the boarding boat is, but with the mail boat I do not wait for the boarding boat; I mean by the boarding boat the boat on turn.

2139. I think you have already said that if pilotage becomes non-compulsory the apprentice system will drop altogether, and that lads will not be apprenticed?—Yes, I think that pilots will be induced to go to sea in small craft of their own, and I think they may be induced to get into steamboats, and get steamboats to put them on board a vessel.

2140. I think you mentioned Calcutta; are you aware

aware that the pilotage system there is arranged by the Indian Government?—Yes.

2141. And failing that there would be no pilots?—No, I know we have to pay very smartly for them too.

2142. In the event of pilotage becoming non-compulsory, would you think it fair to fix the pilot rates for the pilots?—I do not think it would be fair if you are going to make it compulsory on the one part, and not compulsory on the other; I do not think it fair to the men who are risking their lives, and trying to make a livelihood; if a man sees a ship in the offing, and he runs to leeward, and finds that the ship will not take a pilot, he has lost his time.

2143. And he has lost all the ships to windward of him?—Yes, which may be coming up behind.

2144. Looking at all the various points you think, on the whole, that compulsory pilotage is the best for the country?—For the Port of Liverpool decidedly so.

2145. Mr. *Hardy.*] There is another point concerned in this matter, you have stated clearly enough that in your opinion a captain having on board a pilot, is still responsible for the safety of his vessel?—While the pilot is navigating he has to execute the pilot's orders; in fact, on board my own vessel I am the pilot's chief mate for the time being.

2146. You would not be justified in seeing him run wilfully into any danger?—No, no more than I should see a man crossing the street with a cab running over him; I would pull him back.

2147. If that is the position a captain would occupy, do you think there would be any injustice in making the owner liable for any damage done by his ship in the way of collision, or anything of that kind?—That ought to fall on the insurance company. I have always considered the pilot the underwriter's servant coming on board my ship.

2148. If you think that the captain is still responsible to such an extent for the safety of the vessel, do not you think he would also be responsible for any collision the vessel made when the pilot was on board?—If the pilot gave the order, and it was acted upon, and it caused a collision, of course the captain would not be responsible.

2149. He is not, under the present law; but do you consider it unjust to make him so?—Decidedly so.

2150. No doubt, at present, if the pilot is on board, he would not be responsible for damage. Taking the view of the captain's responsibility which you have given us, do you think it would be any injustice to make the owner responsible in future?—I think it would be unjust.

2151. Have you any knowledge of the navigation of the Thames and the port of London?—None whatever.

2152. When you say that Liverpool is a most dangerous port, so far as you know, you have no experience of the Thames?—I have been up and down the Thames. I was once wrecked in Pevensey Bay, sailing out of the port of London; and I went out to the Cape of Good Hope after, and I never went to London again. In going into London my experience is, that you have anchorage, which we have not outside Liverpool; the moment we pass the Ness there are anchorages.

2153. But it is a dangerous navigation?—Yes; but not to the same extent as Liverpool, because from the safety of the anchorage in the Downs and such places.

2154. But there is a much longer pilotage navigation?—Yes, there is a longer navigation, of course. I recollect in my time we used to take first a river pilot, and then another man to take us up to the dock, and so forth; but I was only a young man then. We used to have a Gravesend pilot.

2155. Sir *John Hay.*] There is not such a risk of total loss?—There was not such a risk of total loss.

2156. Mr. *Charles Turner.*] I think your experience of the port of Liverpool has been very extensive; for nearly 30 years?—Over 30 years; it is my thirty-first birthday to-day of my connection with the port.

2157. During the whole of that time you have been in command?—Yes; except in one voyage. I made one voyage; I went to Halifax.

2158. Except when you were employed in the Black Sea and the Crimea, you have been in and out of the port of Liverpool twice in every five weeks?—Every five or six weeks.

2159. Has that lengthened experience of the port of Liverpool led you to believe that under a voluntary system the pilotage would not be maintained with the same efficiency as exists at present?—No; certainly not, in my opinion.

2160. Do you think that under the non-compulsory system any condition attached to a pilot's license would afford the same guarantee as exists at present to vessels wanting experienced pilots at all times and seasons?—Under the non-compulsory system we should not obtain it.

2161. You think that no conditions attached to a pilot's license would afford the guarantee which is afforded under the compulsory system?—No; for after all it is only a one-sided affair.

2162. Therefore, no condition attached to his license would afford a sufficient guarantee that the vessel would always find a pilot there?—That is my opinion.

2163. Supposing you had a great abundance of pilots, would you have the same confidence that the pilots would be efficient as you have at present?—No; from the very fact of there being different grades; it is like the mates of a ship; there is a third mate, a second mate, and a first mate; the lower mates are not supposed to be capable of doing what the chief mate can do; they are all rising. So it is with the pilots; there are four grades in the pilot service out of Liverpool now; there are three, at any rate; a man can only, after serving his apprenticeship, navigate a ship drawing a certain depth of water; after he shows, by experience, that he is capable, he is allowed to navigate a larger vessel, and will, therefore, earn more money.

2164. At last he arrives at the head of the pilot service?—Yes.

2165. In going into or out of the port of Liverpool, you meet with a great number of vessels?—A great number of vessels of all sizes and classes; the channel is very narrow.

2166. You have, therefore, great difficulty in avoiding collisions?—Yes; and if it was not that the pilots on board the ships going in and out know what each other are going to do there would be a greater chance of collision. The pilot can tell from the state of the tide, and how the tide is running in that particular part of the channel, what the other men will do; he says, "That man will tack before he goes over so far," or, "He will

Captain *C. H. E. Judkins.*

26 April 1870.

will stand across your bows"; and so on. Perhaps the captain of the ship, if he had no pilot with him, would keep on, and hug himself, so as to get in across a vessel's bows. He would say, "I have got him on my portside, and there I will keep him," and he might lose his ship in consequence.

2167. Not only the safety of your vessel, but of those vessels you meet in the Channel, depend in a considerable degree upon both having pilots?—Yes.

2168. If both your own vessel and those you meet have pilots, you think there is a great deal less risk of collision?—Yes.

2169. And which materially affects both life and property?—Yes.

2170. I think you said that the vessels which were lost last year carried no pilots, with the exception of the one which you mentioned?—That is so.

2171. Colonel *Bourne.*] You were asked by the honourable Member for Rye as to the difficulties of the Thames, and I believe you said you have not had much experience of it?—No.

2172. Do you consider yourself competent to give an opinion as to the relative danger between the Thames and the Mersey?—No; I can only do so by looking at the charts of the river. I have been to Portsmouth up the English Channel, and have looked at my chart all the way up.

2173. In the Thames you are almost always in sight of land, are you not?—I do not recollect; it is a long while since I was there.

2174. You are for many hours quite lost to land in the Mersey?—Yes; although the weather may be fine overhead.

2175. And although you are on the Liverpool pilotage cruising ground?—The great thing for us is to see the Point Linas, and take our departure from that and steer a straight course to the north-west lightship.

2176. You stated, in answer to the honourable Member for Stafford, that you would advocate the compulsory system of pilotage generally?—Yes.

2177. Do you mean that you would only advocate compulsory pilotage as regards the port of Liverpool?—Yes; you must bear in mind that I am only speaking of the port of Liverpool, and all that I state is with regard to what I have known since I have been out of that port.

2178. You speak with reference to the Mersey and the Liverpool pilotage district only?—We have got different tides to contend with; there is the tide into Beaumaris Bay and the Chester River, and as we go along the straight course we have all the sets of the tide to contend with before we get up to the lightship. When I have been navigating, according to the Admiralty regulations, at slow speed, I have suddenly found myself at the Nelson buoy, away down the River Ribble. The tide had taken such a strong hold upon me that, although my soundings and the depth of water corresponded with my right line for the Liverpool lightship, I found I was down at the Nelson buoy.

2179. Mr. *Grieve.*] You have been asked by several honourable Members as to the relative position of pilot and captain on board a ship?—Yes.

2180. I understood you to say that you never gave up the command of your ship to a pilot?—No; the pilotage of a ship is a different thing to the commanding of a ship.

2181. Supposing a pilot were to appoint a certain course for you to steer, and you thought that you would go on a bank, what would you do?—I would say to the pilot, "I think you are going too close to that."

2182. You would not absolutely take the ship out of his charge?—No; I have sometimes said to a pilot, you may go rather closer to a vessel at anchor in the river or you may not do so, or *vice versâ*; those are the remarks which pass between us.

2183. You referred to coasting steamers, such as the Glasgow steamers, coming in without pilots; are you not aware that the masters of those steamers, or some one on board, are licensed?—I am not aware that they are licensed; I know they can be licensed if they apply.

2184. Do you not think it is likely that they are licensed?—I think so; I know the advertisement says with or without pilots they go to sea.

2185. You said, in the early part of your examination, that in your experience Liverpool and Calcutta are the most difficult parts of access?—Yes; and the River Plate navigation is very difficult too.

2186. You also said that almost anyone could take a ship into Liverpool if they could see the marks?—If he could see the buoys as it is at present buoyed; still he would be at the risk of collision with another vessel; he would know his way in. There are two buoys laid down, and in ordinary weather he would know his way in.

2187. Do you know how many pilots there are in the port of Liverpool?—No.

2188. You said that you saw 300 sail leave the port in one day?—Yes.

2189. I presume there would not be a sufficient number of pilots in the port of Liverpool to pilot all those ships out?—No, but a number of them would be small coasters; I have seen 300 sail of vessels go out of Liverpool in one tide; I should say, looking at them from the pier, that there have been 300 sail, big and little, going out.

2190. *Chairman.*] That was 30 years ago?—It is less than 30 years ago.

2191. It is not common now?—No, as far as ships are concerned, we have not so many sailing ships coming to Liverpool; in the first place, the American War destroyed a great many of the sailing ships coming into the port.

2192. Mr. *Charles Turner.*] A great many more vessels take steam-tugs with them than used to do formerly?—Yes.

2193. Mr. *Grieve.*] You give your entire allegiance to the compulsory system?—Yes.

2194. You stated that under the non-compulsory system the pilots would not go out to the full extent?—No, I do not think a man would go to look for work where he would not get any.

2195. Would not his interest rather lead him to go out and watch?—No.

2196. Were not those 50 or 60 vessels which you referred to as being lost in consequence of having no pilots, against one which was lost with a pilot, all coasters?—I believe they were, but you will be able to get that from somebody better qualified to speak upon the subject; I said I had read it from the report.

2197. Are not these coasters generally considered very good pilots?—Some of them are very stupid ones, particularly the Welshmen.

2198. I suppose the Cunard Company, in employing special pilots at Queenstown, did so to facilitate

facilitate their own business by taking them up to Liverpool and bringing them back?—Yes.

2199. Sir *Charles Wingfield.*] Are you aware that in ports where the voluntary system prevails the supply of pilots is found to be abundant and efficient?—I have had nothing to do with ports where there is the voluntary system.

2200. Do you not think that the pilots are more likely to be efficient when their employment depends upon their competency than where an owner must employ them as now under the compulsory system?—No, I do not think so.

2201. You said just now, in reply to an honourable Member, that you think the liability of the owner of a vessel is not a sufficient safeguard for the security of life and property, because the owner can ensure himself against loss?—Yes.

2202. But if it were the belief that a vessel is endangered by going without a pilot would not the underwriters refuse to insure a vessel that did not employ a pilot?—No, you can insure anything.

2203. They would charge a higher rate?—Yes; a man sleeps quietly when he knows he is insured.

2204. Does it not imply a degree of moral depravity that we have no right to impute to any class, that they would decidedly imperil life to save a few pounds?—I cannot go into that question; I am sorry to think otherwise.

2205. You said that certain vessels, the steamers from Beaumaris and Glasgow, do not take pilots into the port of Liverpool?—I said I had been a passenger in them, and I have not seen a licensed pilot on board.

2206. Have you heard that these vessels meet with more accidents than other vessels that do take pilots?—I think I have heard of as many accidents with them as others; we have had collision cases with the coasting boats as often as with the foreign boats.

2207. But you have not heard that they meet with more accidents?—I do not say that they meet with more, but I have not an opportunity of hearing of every accident that they do meet with. I have heard of accidents, and the first intimation that I have received of them, is that we have been paying the damages caused by the collision with such and such a ship.

2208. You said you thought that a man could not become a good pilot without having served as an apprentice?—I do not think that you can make a perfect pilot or a perfect shipmaster, without you have brought them up to the sea as apprentices from their boyhood.

2209. You said you thought that Calcutta and Liverpool are the most difficult ports you know of?—Yes.

2210. Is it not the case that the Government pilotage service in Calcutta, under which lads were trained to be pilots, was discontinued 15 or 16 years ago, and that the certificates were given to such men as proved themselves to be competent under examination?—It is since my time; I have not been in Calcutta since 1834.

2211. That shows that it was not there thought necessary that men should be trained from their youth?—I do not know what kind of pilots they have. I dare say in Calcutta it is the same as it is with us, that they have more towing work to do now than they had formerly; but in my time, if you did not soap the palm of the pilot's hand, as soon as the sun went down your anchor would be dropped, and it would not rise again the next day, if the tide did not answer between sunrise and sunset: the captain of the ship had to do that to get his ship up quickly to Calcutta.

2212. Those men you speak of were the Government compulsory pilots?—Those were the men in those days. As soon as the sun went down, if you gave the pilot a good decent batta, he would work then for an hour or two, if it was moonlight, under canvass, and endeavour to get your ship up; whether the system has been altered now or not, I do not know.

2213. Being in the service of the Government, and bound to be employed, you were in his hands; you felt that he had you in his power?—The pilot regulations were that no ship was to be under weigh before sunrise and after sunset; you can conceive a tide being almost finished, and high water being almost at sunrise. At sunset you would have no tide at all to work, and the consequence is that rather than lift your anchor you would lie still.

2214. Those small vessels that you speak of that were lost in Liverpool, were sailing vessels, were they not?—I fancy some part were; I do not know for certainty; I only read it as a casual remark.

2215. I think you said in reply to the honourable Member for Stamford, that being small vessels, they ought to be more easily navigated than big ones?—Yes.

2216. But are sailing vessels more easily navigated than steamers up the Mersey?—No, not without they are in tow.

2217. *Chairman.*] You told us that all your vessels take pilots in going into Queenstown?—We always have them on board, and I have taken them when the weather has been so thick that the chances were I should not pick my own pilot boat. Our pilot boat is a six-oared boat, but there was a chance of missing it; therefore I would not pass the sailing pilot-boat outside. I therefore took a pilot on board, and then I had to take my own pilot afterwards.

2218. Where do you pick up your pilots inwards at Queenstown?—Our ships pick them up within a mile of the lighthouse, between the Dant Rock and the lighthouse; the fact is, they are living in houses nearly attached to the lighthouse; there is a row of houses on the beach, and when we are signalled from Bow Head round Cape Clear, the signal is sent forward by telegraph that we are coming in; they know then that in from four hours to four and a half hours we shall be off the port of Queenstown, and consequently they are looking out for us; should we come up without the signal being made to Queenstown, we signal as soon as we pass the Dant Rock; our signal is one blue light and three rockets, and these men, who know when to expect us, are on the look out, and put out to meet us.

2219. Are they exclusively employed by you?—They are exclusively employed by us.

2220. They are men who have been licensed by the pilotage authorities?—They are.

2221. Are they thoroughly competent men?—They are competent men as far as their harbour goes; they are not the educated men that our men are.

2222. Are they competent for the work for which you employ them?—Yes.

2223. You are not bound to employ them by law?—I do not know about that.

Captain *C. H. E. Judkins.*

26 April 1870.

2224. But you must know whether pilotage is compulsory at Cork or not?—I do not know; my owners authorise the pilot to be put on board the ship; they employ him and pay him.

2225. Have you never inquired whether pilotage is compulsory at Cork for the port of Queenstown?—No, I do not know.

2226. Should you be surprised to hear that it is quite voluntary?—I should be surprised to hear it.

2227. In point of fact your vessels have always taken pilots there?—Yes. All I know is this, that we take a pilot by the orders of our company, and that pilot has been selected by them.

2228. You do not know whether at law you are bound to take that pilot or no?—No.

2229. Looking at the nature of the port of Queenstown, do you think it would be right to make it compulsory upon the vessels going in to take pilots?—Where there is no bar there is no occasion.

2230. Is it advisable that vessels going into Queenstown should be bound to take pilots?—They should please themselves.

2231. In your opinion, is it desirable?—If I were going into the port of Queenstown and had no pilot on board, I should not want to take a pilot: the same with regard to going into the port of Halifax; I do not want a pilot.

2232. May I take it as your opinion that it is not advisable that vessels should be bound to take pilots going into Cork?—Whether it is desirable or not, I cannot say.

2233. I want your opinion about Queenstown; is it necessary as regards the question of safety?—It is not necessary.

2234. I presume you would say, that in all harbours where there are no bars, and where they are in the same condition as Queenstown, it is not desirable that pilotage should be compulsory; is that your opinion?—It is not necessary that they should take pilots.

2235. Do you think it is advisable that they should be compelled to take pilots?—No; I do not say one way or the other.

2236. In all ports in the same condition as Queenstown, you would think compulsory pilotage is not necessary?—I should say it is not necessary to have compulsory pilotage where it is quite free from danger; I can explain it better if you will allow me to mention the port of Halifax. The port of Halifax is upon the now compulsory system.

2237. Then you do not think it desirable that it should be compulsory?—To the last hour of my going there I never took a pilot.

2238. But you do take a pilot from the harbour of Queenstown?—Because my owners tell me to do so.

2239. Your owners think it desirable to employ a pilot from Queenstown?—Yes; in consequence of the number of fogs that prevail over the land. We are bound to be there at a certain time with the mail; if we were not tied to time we would stand out to sea again.

2240. That is the reason why you take a pilot at Queenstown, in consequence of the foggy nature of the atmosphere and the desirability of the ships being there up to time?—Yes.

2241. You do not think it necessary that other vessels, that are not bound to be so accurate as regards time, should be bound to take pilots?—They may please themselves about it.

2242. I ask whether, in all ports in the same condition as Queenstown, you think it might be left to the option of the owners or masters to take pilots or not?—Queenstown is very well buoyed; there are the buoys to guide them if they could see them.

2243. I speak of other ports in the same condition as Queenstown; there must be other ports as easy of access as Cork and Queenstown?—That I do not know.

2244. Then I presume you would say, as the difficulties of the navigation of Liverpool are so great, you think it an exceptional case?—As far as I know; I have not had any experience of any other harbours, never having been into them.

2245. You cannot therefore say whether the Thames is as difficult in the navigation as Liverpool?—No; the last time I left the Thames, we were standing our course down the channel, but we were hustled up into Pevensey Bay.

2246. You cannot give any opinion as to whether the danger in the Thames is less or equal to Liverpool?—No.

2247. You cannot form any opinion as to whether the Thames is as difficult as the Mersey or not?—I do not think it is as difficult from what I know of it, that is from reading the charts, because there are so many anchorages where ships can be brought up.

2248. You think Liverpool is an exceptional case?—Yes.

2249. And on that ground you think that the pilotage should be compulsory?—Therefore I think that the pilot should be able to make his livelihood, and I do not think he could do that without pilotage is made compulsory.

2250. You think that if pilotage is not compulsory, there would not be employment for the pilots, and there would not be a competent staff?—Yes; I have heard the shipowners in Liverpool argue with me, that the old shipmasters should be the pilots.

2251. What would you say if it were proved, in places where pilotage is voluntary, that there is an adequate staff?—If there is, I should say keep them there.

2252. In such a case would your opinion be at all altered as regards Liverpool?—I should want to know the ports and the localities.

2253. Take the Bristol Channel?—I know nothing about it except from looking at my chart.

2254. Supposing it were proved that the navigation in the upper part of the Bristol Channel is quite as difficult as in the Mersey, and notwithstanding that, there is a complete corps of pilots, and enough employment for them, would that alter your opinion as regards the Mersey?—The ports are very small that you refer to.

2255. Do you think there is any analogy between the Mersey and the Bristol Channel?—No.

2256. Supposing it were proved that the navigation of the Thames was quite as difficult as that of the Mersey, what would be your opinion?—I would not believe it without I had practical experience.

2257. No proof except personal experience would have any effect upon your mind?—No; I like personal experience best.

2258. Now, with regard to the relation of a pilot to the master of a vessel, I believe you stated you did not give up the command of your vessel?—Ever since I have been a shipmaster nobody has taken the charge out of my hands.

2259. But the pilot gives the word of command?

mand?—To starboard and port the helm; whenever he wants to take in the tospail, I do that.

2260. Supposing a collision is imminent, would you give a contrary word of command to that given by the pilot or not?—It would depend upon how you would apply the word "imminent." You may be such a distance away from the other vessel that you may consult the pilot and say, "You are doing wrong"; but if I saw a man was not competent, from drunkenness or anything of that sort, I should certainly take the command out of his hands; in cases of drunkenness, or for conduct proving that he was not fit to be there.

2261. But not otherwise?—No.

2262. Even if a collision was imminent?—No.

2263. I understood you to say, in answer to the honourable Member for Rye, that you did not think it would be right to throw the responsibility upon the owner for acts done through the negligence of the pilot?—No.

2264. That is the rule now in New York?—We know that we have to pay.

2265. Although the vessels have been under the charge of the pilots?—Yes.

2266. You think that is very unjust?—Yes.

2267. Therefore you do not think it desirable to alter the law as far as that is concerned?—No.

2268. You are aware that it is the practice of many captains entirely to give up the command of their vessels to the pilots?—Abuses will get into everything.

2269. Are you not aware that it is a very common practice to do it?—No; how can I be aware of that, when I have been 30 years in one service.

2270. You can only state your own practice?—Yes; I do not know whether our captains do it, but I know their orders are not to do it.

2271. Are you not aware that it is the practice of many captains to go below when the pilot comes on board?—It used formerly to be the practice when I was a young man.

2272. Do not you know that it is so now?—I do not know.

2273. You never inquired upon that point?—No.

2274. You do not know whether any changes have taken place in that respect?—No.

2275. That was the practice when you were young?—When I was young, captains from the port of London seldom joined their ships till they got down the river to Falmouth.

2276. You do not know, and have never inquired, what the practice is now?—No.

2277. Have you any reason to believe that it is changed?—I have no reason to trouble myself about it.

2278. Mr. *Pemberton.*] You said you thought that compulsory pilotage was desirable at Liverpool in consequence of the difficulties attending the navigation?—In order to let the pilots have the means of making a livelihood.

2279. Your opinion of the desirability of compulsory pilotage would be the same in every place where there is a bar or a difficulty?—Yes, where there is a bar harbour.

2280. When there is any difficulty relating to pilotage, you think it not only desirable, but necessary, that there should be compulsory pilotage?—Yes.

2281. When you say that in particular places you do not think it is necessary, you mean those places where there is no difficulty relating to pilotage?—When a man has arrived and cannot go in, the difficulty is very much less.

2282. When you said you thought in some places it was not necessary, you meant those places where there is no difficulty?—Where there is no bar.

2283. *Chairman.*] Then, in places in the condition of Queenstown, you would think it would not be necessary that pilotage should be compulsory?—It must depend upon whether the trade of the port will give the men enough to do to make a livelihood.

2284. Is that the test?—It depends upon whether there is enough of employment to make competent men go out and act as pilots; men of character and education.

2285. You see that they have found no diffi—culty in getting competent men in Queenstown? We have got competent men for their duty; there is no bar harbour to go into; you can go into Queenstown the same as you would walk down the street.

2286. It is a question of degree whether the pilotage should be compulsory or not; it depends upon whether the navigation is sufficiently difficult to require it?—At Queenstown I do not see the necessity.

2287. Mr. *Charles Turner.*] You were asked if it was not likely that if there was competition in pilots, it would make the men more competent to navigate vessels; supposing compulsory pilotage was abolished, and anybody might be a pilot who passed an examination, would it not make men more anxious to become efficient pilots?—I do not know how you could make them efficient pilots; it would make them theoretical pilots.

2288. As to efficiency, supposing compulsory pilotage to be abolished, and with the advantage which now exists, what guarantee would you have, supposing you took a pilot off Point Linas, as to his efficiency beyond the fact that he had passed an examination?—We have none whatever.

2289. You cannot choose your pilot when you come in; the master of a vessel coming in would not be able to elect one man and refuse another on the ground of efficiency, because he would be ignorant of the character of the man?—His certificate would be the only test; there are four grades of pilots.

2290. That is under the compulsory system?—Yes.

2291. Supposing the compulsory system were abolished, and you had nothing but the voluntary system, and with the voluntary system you have only the certificate of competency to guide you, do not you consider it is very possible that a man might get a certificate of competency without being what you would term an efficient pilot?—Yes.

2292. And you have no means of testing a man's competency when he boards your ship, except that he brings his certificate?—No.

2293. Therefore you might get a man who was an inefficient man, or a man who was a drunkard, or anybody else who had passed the examination?—Yes.

2294. You would not have the same safeguard from the surveillance of the Pilot Board over the conduct of the pilots?—No.

2295. Do not you know that that surveillance is of a very stringent description?—Yes.

2296. And if a man was to misbehave in any shape or way, you have to make your complaint

Captain *C. H. E. Judkins.*

26 April 1870.

before the Pilot Board, and that man is brought up and punished in some way or other?—Yes.

2297. *Chairman.*] Have you the choice of pilots in Liverpool?—We never had; we have our own pilots now, but only for this reason: three or four years ago, I pointed out to Mr. McIver the necessity of having our Liverpool pilots to meet us at Queenstown. Between Point Linas and the Skerries we fall in with a great number of ships of all classes making for the Point, and hauling up a course south-east or south south-east if they have passed the Athol Rock any distance, on purpose to get to Point Linas, the station of these boats: in very dangerous and dark foggy weather from these vessels lying to or making a tack, or making their evolutions in any way they may think proper, we have missed our tides repeatedly by having to stop ourselves to look for our pilot. If we put our pilot on board at Queenstown, we navigate the vessel safely, because we take a line of course outside the line these vessels take. If they are hauled up to Point Linas, we come in east-by-south half-south, but a long distance off the Point. These vessels are all in shore of us, and moreover we have a pilot with us; we can come over the bar and thereby save the ships being detained many hours outside.

2298. In consequence of your representation to the Cunard Company, they went to the Pilot Board, and asked for this special provision?—Yes.

2299. Was that a special exemption made in your favour?—I suppose it was.

2300. I think you stated it was very necessary that the stations for pilots should be kept up, and that they should not be allowed to go out to sea for a long distance to meet the special requirements of particular vessels?—Yes; but we were a consequential ship; we were bringing the mails over before the electric telegraph was established across the Atlantic.

2301. I thought you also stated to the Committee, that vessels would not want to carry their pilots to the coast of Ireland?—No, we do so to save the considerable expense of coal. If you take into consideration the quantity of coal a ship like mine consumes, if kept out 12 hours, you would find that the cost of taking a pilot is far less than that would be.

2302. But the employment of a pilot from Queenstown to Point Linas is voluntary?—He is not employed; he is on board to save us having to stop off Point Linas or any other point from there up to Liverpool to look for him.

2303. You have to pay him extra for that?—Yes; I do not know what bargain they have made with the man.

2304. Have you any reasonable doubt, supposing this Bill were to pass, and compulsory pilotage done away with, as to whether your company would employ pilots or no?—I think our company would always have pilots under any circumstances. The public know that everything is done combined with safety and speed to insure the safety and the lives of the people on board the ship; expense is not thought of.

2305. Are there several other lines of steamers running from Liverpool?—There are a few of them.

2306. Is it your opinion that all those vessels would employ pilots even though compulsory pilotage was abolished?—I do not know what they might do, but they do it now. We are getting so economical since you took away the subsidy from us, that we have to consider these questions.

2307. Do any of those vessels pick up their pilots in Ireland as you do?—The Inman line do, and I belive the National line do the same; all these boats that are carrying a great quantity of emigrants do so.

2308. You have expressed an opinion that your company would always take pilots, even if it were voluntary; do not you think that those companies would also do the same?—I do not know.

2309. You cannot form any opinion upon that?—No; I cannot answer that, because the boards of directors might find fault with the pilotage of their vessels.

2310. You have already told the Committee that your company take the pilots on board in Ireland though they are not bound to do so, and they have to pay for them; you told the Committee that the Inman Company and the National line of steamers take their pilots on board at Queenstown?—Yes; they make that their station for taking up a pilot for Liverpool so as not to stop the ship when she comes into the dangerous navigation off Point Linas.

2311. Do you also know whether the Inman line and the National line take pilots at Queenstown?—They go on the same rule as we do, and they did it before we did.

2312. Do not they take pilots specially for Queenstown?—That I do not know.

2313. Have you any reason to doubt that they do take pilots at Queenstown?—I do not know.

2314. In your opinion, would not those vessels take pilots voluntarily, even though compulsory pilotage is abolished?—That I cannot say.

2315. You cannot form any opinion on that?—No; I cannot say what any other company will do except my own.

2316. You have told the Committee that you think there would not be sufficient employment for pilots; is that on the ground that vessels would not employ pilots?—The number of vessels employing pilots is very small.

2317. You told the Committee that in the event of compulsory pilotage being abolished there would not be sufficient employment for the pilots?—Yes; because many of the small vessels would not employ pilots.

2318. Do you include in that opinion vessels of the class that I have been speaking of?—Not of those particular companies of which we have been speaking.

2319. You think that they would continue to take pilots?—I am sure that the Cunard service would.

2320. I talk of other companies?—I cannot form an opinion upon that. The other companies are managed by boards of directors. Our company is managed by a single individual, and we have only to go to him the same as a private merchant, and say we want a pilot, and we should get anything that we wanted.

2321. You have told the Committee that you believe that the employment of pilots will fall off in the event of compulsory pilotage being abolished?—Yes.

2322. And you say that a certain class of vessels will not employ pilots?—Yes.

2323. Now I want to know whether the Inman, the National, and the others, of which there are a great number running from Liverpool, would take pilots or not?—I cannot tell you what they will do. I can only tell you that I think our own company

company will never risk life and property for the sake of saving the payment of a pilot to go any distance.

2324. Mr. *Charles Turner.*] Do not those companies of which the Chairman speaks, employ a very small number of vessels compared with the whole number of vessels coming into the port of Liverpool?—Yes, they go in and out a great many times in the year, but they are a small number of vessels.

2325. Your vessels, though large in amount, comprise but a very small per-centage of the whole trade of Liverpool?—Yes.

2326. And therefore, when you say that if compulsory pilotage is abolished, the number of pilots will be diminished, you are speaking of its effect upon the general trade of the port?—Yes.

2327. Colonel *Bourne.*] And the taking of a pilot on board at Cork, is simply to save the danger of calling at Point Linas?—Yes; when we come past Ballycotton, the pilot can tell us, if he sees the water breaking on the rock, what rock it is. I could not do that; I know the loom of the land is there, but as to telling what land it is or not, it is impossible.

2328. Sir *John Hay.*] I want to ask you another question or two with reference to the explanation of the comparative responsibility of the captain and the pilot, so as to make it quite clear to the Committee. You stated that your pilot, who is shipped at Cork for the purpose of navigating with safety into the port of Liverpool, is taken on board in waters in which he has no charge?—He goes to his bed and sleeps till we get inside his pilotage waters.

2329. At what time do you consider that he begins to pilot the ship?—As soon as he passes Point Linas.

2330. As soon as you pass Point Linas, what change is made in the government of the ship?—The only change is this: if I have been up two or three days and nights in foggy weather, I may go down to wash and change my clothes, until I get to the North West Light; then I leave my mate in charge. Either myself or my mate are always alongside the pilot; my mate has been master of a trading vessel. Before he could qualify himself for mate, he must have been captain of a ship.

2331. You have special confidence in the pilot who is on board; you know him?—Yes.

2332. Supposing that you should receive on board at Point Linas a strange pilot in thick weather, of whom you had no special knowledge, would you at that time, if the weather was thick and dangerous, go down below to rest?—No, decidedly not.

2333. You would still remain on deck?—Yes. We have such a thing as a deviation of the compass to be applied to every course, and when the pilot says my course is to be steered east and by south-half-south, I say, "Pilot, you must steer south-east by east-half-east by that compass," and I see that it is carried out.

2334. Supposing that the pilot, instead of following your advice in that particular, were to deviate half a point on either side, what would be the consequence?—I would tell him he was wrong.

2335. Because he was not steering the course he intended to steer?—He was not making the course he intended to steer. Now, the pilots that we have coming up know from their own experience as well as I do, what deviation is wanted in each different ship; they know what course they took the "Scotia" up the last voyage, and they know that they will bring her up again this voyage in the same way, unless I give them some information that the deviation is altered.

2336. But the pilot has the right of selecting the course which the ship shall steer?—Yes; we know the course as well as he can tell us, because we have our charts, and from the constant going in and out it is like child's play to us.

2337. I want to put a case which may seem almost absurd to you; supposing the new pilot whom you shipped at Point Linas were to order you to steer full speed to the westward, you would then take away his charge?—I would ask him what he was doing that for, or I should otherwise think that the man was mad, and should supersede him; I should go on again and make for another station, and make another signal for another pilot.

2338. It remains with the captain of the ship to decide whether the deviation from that which he thinks is the proper course is reasonable or not?—Yes.

2339. If it seems to him to be unreasonable, he has then the power to take away the charge?—Yes; he would ask the pilot his reasons for taking that course, and if he could not give a sufficient reason, the captain of the ship has to make for another pilot-station, and pick up another pilot.

2340. Then the steerage of the ship, as far as the pilot is concerned, is only for the momentary alteration of the course either to avoid vessels or dangers momentarily imminent?—Yes.

2341. But he has not the power to take the ship in a direction contrary to that which the captain desires him?—No.

2342. But he has the full power to deviate from the course to avoid collision or grounding?—Yes.

2343. That would explain to the Committee the power of the pilot and the power of the captain; is not that so?—Yes.

2344. *Chairman.*] But, in your opinion, during that process, the owner is not responsible if the pilot is on board?—No, if the pilot has given the order, the owner is not responsible.

2345. When you stand by in the way you describe, and advise the pilot, you do not think the owner is responsible if the pilot follows your advice?—No; even then if the pilot thinks my advice good, I do not think when the pilot comes on board the ship for piloting, that the captain has any right to have the responsibility thrown upon his shoulders; the working and the safety of the ship is his only charge, but deviating this way or that way rests with the pilot.

2346. You think it unjust to the owners that they should be responsible for accidents caused by the conduct of the pilot?—Yes; I think that the underwriters are the people whom you should come upon.

Mr. Andrew Tucker Squarey, called in; and Examined.]

2347. Mr. *Graves.*] I believe you are Solicitor to the Mersey Docks and Harbour Board?—Yes.

2348. Before you took that appointment, had you much practice as solicitor in Liverpool?—I had been in practice for 20 years in Liverpool, and had had a good deal of mercantile and maritime

Mr. *A. T. Squarey.*
26 April 1870.

time practice, acting for a great many large steam companies, and other private shipowners.

2349. Would you state shortly to the Committee the history of the Liverpool pilotage, so far as the legal statutory obligations are concerned?—I find that the system of pilotage at Liverpool was originated in the year 1765, by the Act of Parliament of 6th Geo. 3. Before that time, there seems to have been no organised system of pilotage at all, no guild, or anything of that sort; but in 1765 this Act of Parliament was passed, and the preamble contains this recital: "Whereas the entrance into the port of Liverpool "is very dangerous without a skilful pilot, and "many ships and lives have of late years been lost "owing to the negligence and ignorance of persons "taking upon them to conduct ships and vessels "into and out of the said port, and the prices of "pilotage there are not at present settled by any "law or charter: And whereas a proper regulation "of the pilots at the said port, and the ascertaining "of their rates or prices would tend greatly to "promote and encourage trade and navigation, "and be of public utility." That Act of Parliament was passed in 1765, when the trade of the port of Liverpool was very small indeed compared with its present condition. Then there was another Act passed relating to pilotage in 1796, and the system of pilotage which was established by those two Acts was generally this. A body of commissioners was appointed, consisting of the Corporation of Liverpool, 29 merchants, and 26 mariners, and old commanders of vessels, and those commissioners appointed a committee of 13, who were renewed every three years. The first Act made pilotage compulsory upon all inward-bound vessels, but not on outward-bound vessels, and the compulsion was extended to outward-bound vessels by the Act of 1796. In the Act of 1796 there is the first indication of a superannuation fund, which is now called the pilotage annuity fund; it owes its origin to the Act of 1797. That system continued without any further change until 1824, when the old Act was repealed, and the new Act of the 5th Geo. 4, c. 73, was passed, which incorporated almost all the provisions of the former Acts, and introduced for the first time the system of the ownership of boats, which has remained in force ever since.

2350. *Chairman.*] Did that Act contain any regulations with regard to the ownership of boats?—The Act of 1824 did for the first time, but those regulations did not differ materially from those under which the present system works; they were re-incorporated in the Act of 1858.

2351. Mr. *Graves.*] When was the next change?—The next change took place in the year 1857. In 1856 there were Bills before Parliament with reference to the docks at Liverpool and Birkenhead. The Board of Trade at that time reported on those Bills, and they made these suggestions with reference to them; first they recommended the reorganisation of the Liverpool Dock Trust, so as to represent the whole trade of the Mersey on both sides, there being then docks both at Liverpool and Birkenhead; they recommended that the docks on both sides of the river should be transferred to a new trust, which they thought should be formed, and they suggested that the new Bill to be introduced in the following Session should contain provisions to enable Parliament to consider the propriety of vesting all duties connected with the conservancy, rates, and pilotage of the harbour in a new trust. Up to that time, the pilotage body had been perfectly distinct from the dock body in Liverpool.

2352. Were those suggestions carried out?—Those suggestions were carried out. In 1857 a Bill was introduced and passed, by which those objects which I have referred to were carried out; that was 20 & 21 Vict. c. 162; then in the following year, 1858, the new Dock Board, the present Mersey Docks and Harbour Board, which had been brought into existence by the Act of 1857, brought a Bill into Parliament for consolidating all the former Docks Acts and all the Acts relating to the new jurisdiction which had been conferred upon them, including the Pilotage Acts: and it is under that Act of 1858, that the present pilotage system is worked.

2353. The Mersey Dock Board is now the pilotage authority at Liverpool?—At Liverpool the Mersey Dock Board is the pilotage authority. The provisions of the Consolidation Act of 1858 conferred upon the Mersey Docks and Harbour Board the entire management of the pilots, their boats, and the pilots' annuity fund, but the pilotage system is worked by a committee appointed under the provisions of that Act. It is called the pilotage committee. It is appointed annually by the dock board, and it consists of 12 members; four of them are required by the Act of Parliament to be persons who are not members of the board, but who are familiar with the duties and qualifications of pilots, and the other eight members, making up the 12, are selected from the members of the Dock Board.

2354. The object of the Legislature was to enable the Dock Board to bring in four outside members experienced in navigation and in the duties of pilots?—Yes; it appears so from the language of the Act of Parliament, because it expressly provides that they are to be persons who are familiar with the duties and qualifications of pilots.

2355. Has it been acted upon in the selection of those four members since that time?—Always; I believe that they have always been, for the most part, retired ship masters, or men who have been very conversant with pilotage and shipping matters.

2356. Are the proceedings of that committee subject to the control of the Mersey Dock and Harbour Board?—Yes; the committee sits once a week, and its proceedings are brought up weekly for confirmation at the meetings of the board.

2257. The Act of 1858 gave power to the Dock Board to make bye-laws for the government of the pilots?—Yes; with the sanction of the Board of Trade, bye-laws have been made, which have been in existence for some years past for the regulation of pilotage matters.

2358. No change can be made in the pilotage regulations at the port of Liverpool, except subject to the approval of the Board of Trade?—No; everything must be sanctioned by the Board of Trade.

2359. Then, with regard to the examination of pilots, how is that conducted?—The examination of pilots is conducted under the instructions of the pilotage committee, and it is conducted by what is called the examination committee; that is a sub-committee of the pilotage committee, and associated with them are Captain Hills, the marine surveyor of the port, and Mr. Simpson, the pilotage superintendent.

2360. And to that pilotage committee all complaints are made of every character connected with

with pilotage?—Yes, whenever there are any complaints made with regard to the conduct of the pilots they are at once investigated and decided by the pilotage committee.

2361. It would appear from the statement which you have just made that the pilotage system of Liverpool is entirely the creation of Parliament?—Wholly; there is no trace of any pilotage system existing before that.

2362. With reference to the financial operations of the Dock Board and the pilots of Liverpool, do the Dock Board receive any monies in connection with fines or licenses?—I will explain how that stands. The Dock Board receive all the money which arises from licenses granted to pilots and licenses to boats. The board also receive all monies arising from fines for the infraction of the bye-laws, for instance. But the whole of the pilotage money itself, that is the pilotage rates which are paid for piloting, is received by Mr. Leece, who is the treasurer appointed by the pilots themselves, the board having nothing whatever to do with that money or the collection or the distribution of it; all that is done by the treasurer under the direction of the pilots themselves. The treasurer pays over to the board for the Pilotage Annuity Fund a per-centage of 1½ per cent. under the terms of the Act of Parliament on all the pilotage rates collected by him. That is all that the board gets. The rest of the money is received and distributed among the boats, and the pilots who are entitled to it by the treasurer under their direction.

2363. Will you explain to the Committee the distribution of that 1½ per cent., and also the money received for fines, forfeiture, and licenses?—I am speaking now of the provisions of the Act of Parliament. The license fees are charged in the first instance with the cost of managing the pilot system in Liverpool; that is the office expenses, and salaries of superintendents, and charges such as those. Then out of the license fees they pay rewards which the committee have power by the Act of Parliament to grant to meritorious pilots. The maximum amount to be given in any one year is 50*l.*, in sums not exceeding 10*l.* each; then the balance of the license fees goes to the pilotage annuity fund. Then we come to the monies received by the board for fines and penalties of which I have spoken. Those fines and penalties are chargeable in the first instance with any relief the board may think proper to give to distressed pilots and their families who do not come within the legal scope of the pilotage annuity fund; and if there is any surplus arising from the fines after granting such relief, that surplus also goes to the pilotage annuity fund.

2364. So that all the monies which are in any way connected with the pilotage system in Liverpool are disbursed again in the pilotage system of Liverpool?—Yes. The per-centage under the Act of Parliament is 1½ per cent., but, I believe, by an arrangement among the pilots, they add another 1 per cent. to it, voluntarily.

2365. Probably we shall have more details of that from others?—Yes; from the pilotage superintendent. With regard to the annuity fund, I may state how that is applied. This pilotage annuity fund, which is disposed of by the board, is applicable in this way. First of all, in payment, as long as the board may think fit of annuities and allowances, which were granted under the Act of 1824, and which are still subsisting. I believe there are a few, but not many in that category. Next in payment of annuities or weekly or other allowances to the following persons: pilots who, having attained the age of 50, and served 20 years as pilots, retire from the service; pilots incapacitated by infirmity, sickness, or accident, irrespective of age or length of service; and, thirdly, to the widows and children of deceased pilots. The fund is applied strictly in that manner.

2366. *Chairman.*] Is there any fixed annuity to the pilots, or does it depend upon the state of the funds?—It depends upon the fund and the option of the board also.

2367. Mr. *Graves.*] Now will you explain to the Committee the system on which the boats are owned so far as Parliamentary powers are concerned?—I have stated already to the Committee that that system commenced with the Act of Parliament of 1824. I do not know what system prevailed before that time, but from such information as I have been enabled to get from old pilots about it, it seems that practically the boats were, prior to that time, held by pilots as a matter of voluntary arrangement; there was no law upon the subject; but the present provisions, in relation to the ownership of boats which are found in the Consolidation Act of 1858 are these: The board are authorised to license boats to be used by the pilots, and the pilots are prohibited from using any except those licensed boats. Then as to the ownership of boats, the Act provides that none but licensed pilots shall hold shares in those boats, except temporarily, pending a sale which has become necessary from the death of the owner, or from the owner ceasing to be a pilot. When any holder of a share, who is a pilot, dies, or ceases to be a pilot, the Act provides that the shares are to be sold by his representatives within 12 months to some other licensed pilot; but if the parties do not voluntarily effect the sale within 12 months, then the board have power to direct that the shares shall be put up for sale by auction, at a price which they themselves are authorised by the Act to fix; that is, if the executors neglect to sell within 12 months.

2368. *Chairman.*] But they are only to sell to pilots?—They are only to sell to pilots under any circumstances; and the same restriction applies to a sale by auction held under the sanction of the board; none but pilots are to buy. Then the Act provides that in fixing the value of the shares the board is to consider the intrinsic worth of the shares according to the then condition of the boat, and then they are to add such a sum as they think fit, as a reasonable compensation for the privilege of the boat. That is provided by the 158th section of the Act of 1858. Then, supposing that at the sale by auction no licensed pilot is prepared to give the price the board have fixed as the value of the share, the board is then authorised to allow the representatives of the deceased pilot to hold the shares for a further period; they may continue this license from time to time, but it is requisite that once in every year the attempt to sell by auction shall again be made at a new valuation to be fixed by the board prior to the share being put up for sale again.

2369. Is there any limit as to the time in which the executors are allowed to hold?—There is no limit as to time; they may hold for any time, subject to the sanction of the board, and subject to an annual offer of sale by auction.

Mr. *A. T. Squarey.*

26 April 1870.

2370. Mr. *Graves.*] Then the pilots, apparently, have no control over the disposal of the shares of the boats?—They may sell to other licensed pilots as they think proper.

2371. Has the committee to approve of every sale?—I think not, provided it be made to a licensed pilot.

2372. Is there any limitation as to the number of shares a pilot may own?—I think not.

2373. Can you speak with regard to the difference between the actual value of boats as simple vessels, and the actual value as representing the capital of the pilots?—The superintendent of pilotage will be more competent to speak to the details of that; I confine myself to the legal effect of the Act of Parliament.

2374. In the course of your former practice at Liverpool, I believe you have had great opportunity of judging of the working of the pilot system of the country generally?—Yes; I was concerned in a great many collision and salvage cases, which of course led me to consider the question of pilotage a great deal.

2375. You have looked at it in all its larger aspects, not merely as affecting the Mersey?—I have tried to do so.

2376. Do you yourself see any way in which an improvement of the present law might be made with any advantage?—Yes, I think there is one improvement which might be made with great advantage, and that is the abolition of the provision which now protects owners from liability for accidents which occur when their vessels are in the charge of pilots; I think that might well be done away with.

2377. *Chairman.*] I presume you consider it would not be sufficient simply to repeal that provision, but it would be necessary to make some substantive law upon the subject?—Yes; because that provision, although it is now a statutory provision, is based upon the common law rule which existed before this statutory provision.

2378. Mr. *Graves.*] Would you give your reasons for that opinion?—I think, in my experience, it operates badly in this way: a pilot in many cases is certainly placed in charge of the navigation of the ship, in a sense different from that in which I have heard it explained by Captain Judkins this morning. When a pilot takes charge of a vessel in many cases the captain at once abrogates his authority, and the whole matter is left in the pilot's hands.

2379. That you would desire to alter?—I think it might be altered with advantage, because, as a rule, I do not think the pilot is so competent a person to navigate a ship generally as the master of the ship; and that applies particularly in the case of steamers, and more particularly in the case of the deviation of the compasses to which Captain Judkins referred just now. It appears to me that the proper function of a pilot is to supply accurate local information to the master of the vessel, which will enable him to take his ship safely through the peculiar dangers, in respect of which the pilot's knowledge is wanted.

2380. In fact, to act as an adviser?—To act as an adviser, certainly; I am quite aware that by the rule of law at the present time the master is bound to interfere if he sees the pilot doing that which is manifestly wrong and improper; but it has been found so difficult, even in the courts of justice, to draw the line as to where the duties of the pilot end and where the duties of the master begin, that it is not at all wonderful that masters very frequently abstain from interfering, and are prevented from interfering by the dread of incurring responsibility if they in any way interfere with what they consider to be the pilot's office.

2381. *Chairman.*] Has there been any decision to the effect that the captain is bound to interfere?—Yes; it has been laid down in many cases that the captain is bound to interfere, when the pilot is doing that which is manifestly and grossly improper.

2382. Not where he has any discretion in the matter?—No, in every case it is a matter of opinion; it is impossible to lay down any distinct rule upon the subject.

2383. Mr. *Graves.*] Is it your experience that accidents have not unfrequently occurred, in consequence of the reluctance of the master to interfere with the pilot?—Yes, I have often had the impression, in collision cases more particularly, that if the master of the ship, particularly in the case of steamers, had been in charge at the time, and had done what his judgment dictated as the right thing to do, probably collision would have been avoided.

2384. Do you see any difficulty in carrying out such an improvement of the law as would make the pilot the adviser of the captain, and leave the liability resting upon the owner?—No, I do not. I have considered that, but I do not think there would be any real difficulty about it. I have endeavoured to get some information with regard to the rule which prevails in foreign countries upon the subject, and so far as my information extends, England is almost peculiar in this respect.

2385. Is that with reference to the functions of the pilot or with reference to his liability?—Both with reference to the functions of the pilot, and with reference to the immunity which his presence affords to the owner of the vessel in case of accident.

2386. Which countries do you allude to more particularly?—I have made inquiries about the North German and Baltic ports, and the Spanish and Italian ports, and I find that in all those places there is a system of compulsory pilotage which I will explain presently, but I do not find that the presence of a pilot protects the owner from liability according to the law of those countries. At New York that certainly is so; there is a compulsory system of pilotage at New York, just as ours is compulsory, in this sense, that if a captain declines to take a pilot, he is bound to pay pilotage.

2387. *Chairman.*] He is not bound actually to take a pilot?—No.

2388. But he is bound in the terms of the Bill of last year, either to pay or to employ?—Yes; I will read a passage on this subject from this book of Parsons on Maritime Law; it is a great authority in the United States, "No vessel is bound to "take on board a pilot, either going in or coming "out of a harbour, but if a pilot offers and is "ready, the ship must pay pilotage fees whether "he is taken on board or not." That is similar to what we call the compulsory pilotage system here. I also find in the book of Mr. Parsons (this edition is dated 1859) this passage: "While "a pilot is on board (unless with the exception "arising from extreme distance), he has the "absolute and exclusive control in the absence "of the master, nor is the master liable for any "accident which may then happen. How it is "when

" when the master is present, may not be so " certain; so far, however as we can gather the " law from books or from practice, we should say " that the pilot has the control of the ship as he " stands on the deck; but no such absolute control " is wholly to supersede the master; for it remains " in the master's power, and it is his duty to " observe the pilot, and in a case of obvious and " certain disability, or dangerous ignorance or " mistake, to disobey him and dispossess him of " his authority." At that time it seemed to be uncertain, according to the American law, whether the presence of a pilot protected the owner from liability. But there has been a case recently decided in the Supreme Court of the United States (which is a court of great authority upon legal matters), the case of the " China," one of the Cunard steamers which ran down a vessel lately in New York Harbour, being at the time in the charge of a pilot taken compulsorily, and it being quite clear that the accident was due entirely to the pilot's mismanagement, in which it was held that the owners were liable, notwithstanding the vessel was in charge of the pilot.

2389. Mr. *Graves.*] Would you regard that decision in settling a question in New York?—Finally; it must settle it in New York and throughout the United States.

2390. It would be regarded as a precedent?—Yes.

2391. *Chairman.*] It is only decided with respect to the law in New York?—It applies to the law of New York; but the other State laws in reference to pilotage are very similar in their terms to the law of New York; no doubt the same principle would be applicable in all cases.

2392. Mr. *Graves.*] It will guide all future ruling that the liability of the owner is perfectly consistent with the compulsory system?—Yes. Then there is another case to which I may call the attention of the Committee shortly, which I think illustrates this matter rather forcibly. This is a case which occurred in our own Court of Admiralty. It is the case of the steamer " Halley." It seems that by the Belgian law vessels are bound to take pilots or to pay for them; it is compulsory in that respect. The screw steamer " Halley " was going up the Scheldt in charge of a pilot, and in Belgian waters she ran into a Norwegian vessel called the " Napoleon." By the Belgian law the " Halley " was obliged to employ a pilot or pay a pilot; but the Belgian law also provides that the owners are not protected from liability by having a pilot on board. This accident happened, and for some reason or other, the " Halley " was allowed to leave the Belgian port without being interfered with, and she came here. Here the " Napoleon " followed her and brought an action in our Court of Admiralty. The " Halley " pleaded the Belgian law that she was compelled to take a pilot; and therefore by the English law having a pilot she was discharged from liability, but Dr. Phillimore, the present judge of the Court of Admiralty, decided that the Belgian law must apply in both respects. He said, " If you plead the Belgian law to show " that you are bound to take a pilot, you must also " adopt the Belgian law which says a pilot is not to " protect you." Therefore, he ruled that the owners of the " Halley " were liable. That is reported in the second volume of Law Reports, Admiralty and Ecclesiastical Cases.

2393. *Chairman.*] He made some very strong remarks upon our law?—Yes; I will refer you to two or three passages in the judgment which bear very strongly upon the law in this matter. Sir Robert Phillimore says in this case, " I will frankly say " that it appears to me the difficulty is to reconcile " the claims of natural justice with the law which " exempts the owner, who has a licensed pilot on " board, from all liability for the injuries done, by " the bad navigation of his ship, to the property " of an innocent owner. *Obligatio* is (according " to the admirable definition of the Institutes) " '*vinculum juris quo necessitate astringimur alicujus " rei solvendæ*;' it is '*lien de droit*,' as the French " say. No one acquainted with the working of " this law, which exempts the wrong-doing vessel " from liability in this court, can be ignorant that " it is fruitful in injustice. On the one hand, the " master is tempted to abstain from all control over " his vessel, lest he should afford grounds for the " argument that by interference with the pilot he " has deprived himself of the legal immunity which " he would otherwise enjoy. On the other hand, " it is obvious that great inducements may be " offered to the pilot to shield the incapacity or " mismanagement of the master and his officers " by taking all the blame upon himself. It is true " that by so doing he may subject himself to " censures and punishment from the Trinity " House. Certainly, in cases where the evidence " clearly established very gross negligence, or " want of skill on his part, such would be the result; " but the greater number of cases are not of this " extreme description. It is impossible to doubt " that an owner, who, as in a recent case before " me, would, but for the fact of having a licensed " pilot on board, have been compelled to pay per- " haps 25,000 *l.* to the ship which he had sunk, " lies under a very strong temptation to take " whatever measures may be requisite for ob- " taining the two necessary statements of the " pilot, namely, first, that he alone had the " management of the vessel, and, secondly, that " his orders were obeyed; the two stereotyped " questions necessarily and invariably put to the " pilot by those who conduct the defence of the " wrong-doing vessel." Every word of that paragraph is founded on fact, and I can testify to it from experience. These things have constantly arisen. There is a great temptation to induce a pilot to take the blame upon himself where blame is not due to him.

2394. That is the result of your experience?—That is the result of my experience. Then he goes on: " I cannot help thinking that the doc- " trine so clearly explained by Lord Cranworth " in Reedie *v.* London and North Western Rail- " way, of the owner being responsible only for " the acts of his own servant, has been some- " what strained in its application to the case of " the licensed pilot. I do not quite understand " why, because the state insists, on the one hand, " upon all persons who exercise the office of pilot " within certain districts, being duly educated " for the purpose, and having a certificate of their " fitness, and insists, on the other hand, that the " master shall within these districts take one of " these persons on board to superintend the " steering of his vessel, the usual relation of " owner and servant is to be entirely at an end; " and still less do I see why the sufferer is to be " deprived of all practical redress for injuries " inflicted upon him by the ship which such a " pilot navigates. If compulsory pilotage be at " all expedient, a question open to very con- " siderable doubt, it seems to me more just that " the

Mr A. T. Squarey. 26 April 1870.

"the master of the wrong-doing ship should be "left to his action against the pilot who has badly "navigated her, than that the owner of the in- "jured ship should be placed in that predicament. "I incline to the opinion that the Belgian law, "as it appears in these pleadings, is more con- "sonant with natural justice than our own on this "subject." The end of the case was that it went to the Judicial Committee of the Privy Council, and there the Lords of the Privy Council on the same facts, considered that the law of England must be applied to the case. They ruled that the *lex fori* was applicable to the case, and therefore they held that the owners of the "Halley" were discharged.

2395. Mr. *Graves.*] I presume it is your impression, that very great injustice is occasioned between owner and owner by the present immunity?—I think it is so frequently; but if the rule were abrogated, it would not make much difference in the end. I may have a ship in collision to-day, and I am protected by my pilot; the case may be reversed to-morrow.

2396. Placing the liability upon the owner is not a fresh obligation or a fresh liability placed upon the shipowners as a class?—Not as a class; it is merely perhaps shifting it to that person who ought really to bear it rather than the other.

2397. Independently of all questions of pilotage, does your experience lead you to think that such a change would remove many of the existing anomalies, and bring the law to a more satisfactory state than it is in at present?—I think it would have this effect amongst others; if that rule were abrogated, we should find a great many more masters and mates of coasting vessels which are now subject to pilotage, applying to be examined in order to get pilot licenses themselves. I think it is the existence of that rule to a very great extent which prevents the provisions of the Merchant Shipping Act of 1854 being carried out.

2398. Do you yourself attach much importance to the fact that under the compulsory system of pilotage the pilot is not a servant of the owner, and that therefore the owner should be free from liability because the pilot is forced upon him?—I do not, and for this reason; I think it is incorrect to say that a pilot is forced upon him. The law of compulsory pilotage as it stands amounts to this: in those ports where it is found necessary or desirable to maintain a regular pilotage system, every ship which has the opportunity of taking a pilot coming in or going out of port is bound to contribute to that pilotage fund. The compulsion is not to take a pilot. I am not aware of any law that makes it obligatory upon the master of a vessel to receive a pilot on board; but what it does is this, it gives him the option of taking a pilot, and if he declines to take one it compels him to pay the pilotage.

2399. Have you read over the Paper connected with the loss of the "Spindrift"?—Yes.

2400. There is in the concluding portion of the letter, which has been addressed by the secretary at Lloyd's to the Board of Trade, this paragraph: "In conclusion, my committee desire me to say that the whole of the facts brought out in this case confirm them in the opinion which they have entertained for some time, that the period has arrived for the abolition of compulsory pilotage, and that the Acts of Parliament by which a captain is compelled in certain waters to hand over the charge of his ship to a pilot, and permitted to throw off all responsibility for her safety, should be repealed." Are you aware of any such Act in existence as is alluded to in this letter?—No; so far as I am aware there is no such Act.

2401. Mr. *Martin.*] The judgment of the Privy Council which you have just read almost amounts to that?—The decision of the Privy Council turned upon the question whether the law of Belgium or the law of England was applicable to that particular case.

2402. *Chairman.*] You spoke of "compulsory payment" and "compulsory employment" being almost correlative terms?—They have been so considered hitherto.

2403. I understood you to say so yourself?—No; I venture to entertain a different opinion upon that subject.

2404. Mr. *Graves.*] Then the suggestion of Lloyd's, that the system of compulsory pilotage should be changed, is founded entirely upon wrong premises?—So far as stated in that paragraph, it is certainly founded upon wrong premises.

2405. *Chairman.*] In many cases the penalty is much higher than the pilotage rate?—Yes, in some cases it is.

2406. So that there is a very strong inducement, much more than the pilot rate, to employ a pilot?—That is so in some cases.

2407. Do not you think, when the employment is enforced by a penalty of that kind, it becomes compulsion?—Practically it may become compulsion.

2408. It would not be so where the fines are the same amount as the pilotage rate, but when they are more than that it amounts to compulsion?—A legal compulsion to receive a pilot on board your ship, but not to put the ship in his charge.

2409. Mr. *Pemberton.*] There is no law which makes it compulsory on a man to take a pilot on board?—No.

2410. But there is a penalty?—Yes.

2411. Mr. *John Stewart Hardy.*] The master would take a pilot on board, and he would only be liable for the dues?—Yes.

2412. Sir *Charles Wingfield.*] According to that view, the Act which was introduced last Session did not make any important change; it only said that henceforth a person was bound to pay a due, but he was not bound to employ a pilot; according to your view, he never was bound to employ a pilot?—No.

2413. In the former Act there were penalties, and the penalties were higher than the payment of the dues?—Yes.

2414. Mr. *Graves.*] What is the penalty in Liverpool for not taking a pilot?—It stands in this manner: a vessel inward-bound must, on coming into pilotage waters, exhibit a certain signal, and if they fail to do that, they have to pay a penalty of 5*l.*; then, if a pilot offers his services, and they refuse to take a pilot, they have simply to pay to the first of the pilots who offers his services the same pilotage rate which they would pay if they took a pilot.

2415. And beyond that there is no compulsion of any kind to take a pilot?—No.

2416. Mr. *Price.*] I think there is no specific enactment that a ship shall be navigated by a pilot?—No.

2417. There is a fine in the case of Liverpool?—Yes.

2418. But you did not state that it was the case generally?—I have never heard of any case in

in which there is an authoritative enactment that a pilot shall be taken on board and employed.

2419. *Chairman.*] You mean a specific clause that a vessel would be bound to wait for a pilot?—Yes.

2420. As it is now, she is only bound to take a pilot if a pilot offers his services?—Yes.

2421. When that is enforced by penalties equal if not more than the pilotage rate, it becomes a compulsion?—It has been held in a legal sense to be a compulsion.

2422. Mr. *Pemberton.*] It is legal compulsion so far that the pilot taken on board is not the servant of the owner?—Yes.

2423. It is not compulsion so far that you break the law if you do not do it, but it is compulsion so far that the pilot, if taken on board, is not the servant of the owner?—It is the machinery devised to compel every vessel using the port to contribute towards the maintenance of the pilotage fund of the port.

2424. Mr. *Graves.*] In your view the obligation is entirely a pecuniary one to pay or contribute to the maintenance of the pilotage service, and not an obligation to take a man even against his will?—Yes, to pay more or less, as it may be.

2425. If the fine be more than the pilotage rate, would not you hold that it is something more than that?—Only in degree, not in principle.

2426. Suppose it is double the amount?—Then, of course, it is a double punishment to the master for not taking a pilot.

2427. Then it is something more than a contribution to the pilotage fund; it is a direct compulsion by law?—Yes. I should like to make a correction. I find that under the Merchant Shipping Act of 1854, which it appears is made applicable to the Liverpool district, double pilotage is the penalty for refusing to take a pilot.

2428. There is an obligation in the Merchant Shipping Act, if I remember rightly, that no home trade vessel shall carry passengers without a pilot on board?—There is such a provision.

2429. That you would call positive compulsion, I suppose?—Yes, because I believe, if I am correct, that there is some penal consequence in the form of imprisonment.

2430. You have spoken of the law in foreign countries with regard to the liability of the owners; have you at all consulted foreign authorities with reference to their view of this compulsory question, as to what interpretation they put upon the word "compulsion"?—I have found, in reference to the French law, some passages which bear very strongly indeed upon that question.

2431. Will you kindly read them to the Committee?—The Committee may be aware that there is now existing in France a commission, which was appointed, I think, in the year 1866, for revising portions of the Code Napoleon, and that committee has made a report upon the second portion of the code, which is the Code de Commerce; they have proposed certain alterations in that code, one of which has a distinct bearing on this question. According to the present state of the law in France there is a rule (it is Article 407 of the Code de Commerce, in the case of collision of vessels) that if the event has been purely accidental, the loss is borne by the vessel which has sustained it; if the collision has taken place by the fault of one of the captains, the loss is paid by that vessel which has caused it; if there is doubt as to the cause of the collision, the loss is repaired at the common expense, in equal portions, by the vessels which have suffered. Then, in the revised code, it is proposed to introduce an express statement to this effect: "The presence "of pilots does not interpose an obstacle to the "responsibility established by the preceding "clause."

2432. *Chairman.*] That is not the present law, is it?—It is the present law; but they propose now to express it affirmatively in the code. There has been published, by the authority of this commission, which is composed of eminent French jurists and officers, an explanatory note as to the changes they propose to make in the code.

2433. You now quote from the report of the commission?—It is a "Note explicative" as to the changes.

2434 Of whom is this commission composed?—The committee was presided over, in the first instance, by M. Behic, and then by M. de Forçade de la Roquette, and it is composed of a number of senators, the general secretary of the Ministry of Commerce, the general advocate of the Court of Cassation, the Director of the Ministry of Marine, the Vice President of the Council of State, M. de Couray (Director of the Company of Assurance), and M. Denièrè (President of the Tribunal of Commerce), M. Defour (advocate of the Imperial Court of Paris), M. Duvergier (Sectional President of the Council of State), M. Greffier (Director of the Ministry of Justice), M. Jullien (Director of Commerce of the Interior), M. Masse (President of the Chamber of the Imperial Court of Paris), and several others.

2435. Will you proceed to read the extract?—They are now speaking upon the subject of the French law and the liability for collision: "The "liability for collision evidently depends on the "cause of the collision. Now there are two causes "which in themselves at once dispose of the "question of liability, viz., *vis major*, or pure "accident, for which no one is responsible. Re-"sponsibility must be the result of the fault of "the person who is made responsible. Thus "when it is proved that a collision has been "entirely accidental, or caused by *vis major*, "neither of the masters is liable; the losses must "be borne without recourse by those who have "sustained them. If, however, the collision has "arisen from a fault, the whole loss must be "borne by the vessel on board which the fault "has been committed. This is simply the effect "of the general law applied to the case of col-"lision. Here, however, a difficulty presents "itself which is peculiar to navigation, and which "has given rise to much discussion; it arises "from the presence of a pilot on board the vessel "which has caused the collision. Under these "circumstances the owner and master of the "vessel have declined responsibility for the col-"lision on the ground that the law compels them "to take a pilot, that it does not even leave them "free in their choice, and that it imposes on them "men whom they do not know, consequently "they maintain that not being free in the choice "of their agent, they are not responsible for his "faults. But French jurisprudence has always "rejected this argument on two grounds, which "seem decisive. First, that it is incorrect to say "that the employment of a pilot is compulsory. "The truth is that under the laws which regulate "this matter, the payment of pilotage is all that "is obligatory; not the actual employment of the "pilot. The master who does not wish to allow "a pilot

Mr. *A. T. Squarey.*

26 April 1870

"a pilot on board his ship has the matter in his "own power; he is only bound to pay pilotage. "Therefore he cannot avoid liability for the acts "of the agent by representing that the pilot is "forced upon him. The second reason given by "the law goes still further; it rests on the fact "that in all cases the pilot is not in the place of "a tutor (*tuteur*) who substitutes himself for the "master, but simply an assistant who advises "him. That the master in fact deprives himself "more or less of the command in order to give it "up to the pilot, makes no difference in law; he "does so because he thinks proper to do so; he "may if he pleases adopt a different course; that "is, he may follow the advice of the pilot or dis-"regard it. Thus even if the master were com-"pelled to employ a pilot it would not affect the "question, because he is not bound to obey him. "The pilot is the voluntary substitute of the "master who is liable for him, and that liability "naturally extends from the captain to the "owner. The proposed amendment (*projêt*) re-"cognises, in accordance with jurisprudence, that "the presence of a pilot on board is no answer to "the liability of the ship on board which a fault "has been committed." I understand from that, that although the case is not definitely provided for by the present code, the law of France at present does not protect the owner from liability where damage arises through the pilot, and it is now proposed to make it affirmatively part of the code.

2436. Mr. *Graves.*] Does England stand alone amongst the maritime nations in the immunity of owners from liability when the ship is in the charge of the pilot?—So far as I can obtain information, I think it does.

2437. *Chairman.*] Are you speaking of the North German Code, because I think it is otherwise in that code?—I am not certain.

2438. Mr. *Graves.*] The whole tenour of your own consideration of the question appears to be in the direction of simplifying the law by removing that immunity?—Yes, I think that may be done consistently with retaining what we call the system of compulsory pilotage.

2439. You can perfectly reconcile the two in your own mind?—Yes, I think so.

2440. Liverpool, I believe, contributes one-half to the business of the Admiralty Court?—It contributes a very large proportion; I should say at least one-half.

2441. The profession generally in Liverpool must have from that fact a very great experience of the delicate questions of the liability of owners and pilots, which are constantly arising?—Yes, some members of the profession have very great experience.

2442. Those who have the largest proportion of this class of business?—Yes.

2443. Have you conferred with them, and exchanged opinions with them upon this subject?—I have not had an opportunity of conferring with them formally, with the view of ascertaining their opinion upon this question; but it has been a matter of discussion between us frequently. I think the common opinion is, that it would be well to do away with the immunity from liability which is now given to the owner.

2444. Mr. *Martin.*] You say there is no Act of Parliament by which a captain is compelled in certain waters to hand over the charge of the ship to the pilot, and permit him to throw off all responsibility for her safety?—To my knowledge there is no such Act.

2445. You have read this Paper?—Yes, some time since.

2446. Would not the decision of Dr. Lushington, in the "Lochlibo" case, and the decision of the Privy Council in the "Christiana," prove that though there is no decision particularly in point, the courts are bound by the decision of decision of the Privy Council, that if the master does not act in the manner described he runs the great risk of involving his owner in law?—Yes.

2447. Therefore, practically, although there is no Act, still he must do it?—Yes.

2448. Therefore this request, that the Acts of Parliament or the rule of law should be altered, is not unreasonable?—It is not unreasonable to ask that the rule of law should be altered.

2449. The practical effect to the injured party is the same?—Yes.

2450. Mr. *Stevenson.*] Your proposal seems to be, that the pilotage should be in the nature of a tax on all vessels using the port, leaving it optional to those vessels to have something done for that tax in the shape of pilot service?—That is in effect what the present law is as regards Liverpool, and as regards other places similarly circumstanced.

2451. *Chairman.*] But not as regards places where the penalty is more than the pilotage rate?—It is a question of degree; they may take the pilot or refuse him by paying double pilotage.

2452. Mr. *Stevenson.*] Under the present law the shipowner who is subject to that tax has some return in the shape of exemption from liability to damage?—Yes, he has. If your ship were damaged by another vessel in the charge of a pilot, the loss would fall upon you.

2453. It is a transference of the hardship?—Yes.

2454. Would not the shipowner consider it a hardship to lose his exemption from liability which, in some measure, now reconciles him to submitting to the compulsory pilotage?—That is more a question for a shipowner. I do not think that they should reasonably object to it.

2455. You would not like to say that that would not be their feeling?—That would be the feeling of some, undoubtedly.

2456. Under your mode of looking at the question, how would you justify the exemption of any vessels from contributing to this tax for the maintenance of a pilotage service?—If there is to be a pilotage service maintained, it seems to me not unreasonable that every vessel should contribute something to it.

2457. The principle you have laid down would cut away the present system of exemption prevailing in Liverpool?—Yes; assuming there is always to be a pilotage service maintained.

2458. Are you aware whether there are any exemptions in France?—I have referred to the local regulations at Havre with regard to the pilotage, and I find that there are exemptions, and many of them are of the same class as those which we have here: the exemption of lighters and small coasting vessels. I cannot speak of the other French ports.

2459. *Chairman.*] I believe it is only up to a comparatively small tonnage, 50 tons, or something of that kind?—Yes.

2460. Mr. *Stevenson.*] I presume in Liverpool very large vessels come under the class of exemptions

exemptions on account of their destination?—No, I think not. I believe the provision of the Liverpool Act with regard to exemption is confined to vessels not exceeding 100 tons. Coasters above that burthen, if not in ballast, are liable to half the pilot rates in Liverpool.

2461. If in ballast, they are liable to half the pilotage rates, whatever their size?—If in ballast, they are altogether exempt; that applies to vessels of any size.

2462. They are not exempt?—They are exempt, if coasters in ballast.

2463. And their size is not an element in the case?—No.

2464. Under the plan you have described, would you defend the exemption of those large coasting vessels in ballast?—I see no reason why, if the compulsory system is in force at all, all vessels should not contribute to it; it is a question of degree how much they should contribute.

2465. According to the view of the case which you have given us, would you continue the permission to masters and mates of regular traders to exempt their vessels from the employment of ordinary pilots, if they pass their examination and obtain certificates themselves; of course that tells against the maintenance of the general service?—To that extent it does tell against the maintenance of the general service.

2466. And your plan would logically lead to the abolition of that?—Yes; but it all rests upon the supposed actual necessity for the maintenance of the pilotage service.

2467. Mr. *Brassey.*] Do you know whether, as a general rule, pilotage is compulsory at the principal continental ports?—I think it is.

2468. As far as you are acquainted with the pilotage funds at Liverpool, do you believe that you would have a sufficient reliable revenue for the maintenance of the pilotage service in Liverpool if you did away with compulsory pilotage?—That is a question I feel scarcely competent to answer; that is a question for a shipowner; my experience does not enable me to answer it.

2469. The owner escapes the liability under the present state of the law in England, does not he, on the assumption that he has no power in the selection of a pilot?—That is the ground on which the rule of immunity rests, that the man is not his agent because he had not the selection of him.

2470. Even under the voluntary system of pilotage, the owner of an inward-bound vessel would be equally incapable of exercising any selection?—Practically he would; he would have to take the first pilot who presented himself.

2471. And would be therefore grateful for the intervention of the public authority who had previously tested the merits of the person coming on board to take charge of his vessel?—That is essential; if there is to be a pilotage system maintained, it must consist of men who are ascertained to be properly qualified; to throw it open is out of the question.

2472. Mr. *Price.*] From your experience of Liverpool, you think that a shipowner might without hardship be made responsible for any damage done to his ship, upon the ground that the employment of a pilot was not compulsory, although the payment was?—Yes.

2473. May not the payment of the penalties be so severe that the employment of them does in fact become compulsory?—Yes, it may be so heavy as really to compel parties to take pilots; but after having got them, I do not know why the pilots should be placed in the absolute control of the ships.

2474. Will you listen to these words, taken from the Act of Parliament before me: "From "and after the first day in October next after the "passing of this Act, all vessels, sailing, navi- "gating, or passing, up, down, or upon the Bristol "Channel to the eastward of Lundy Island, ex- "cept coasting vessels and Irish traders, should "be piloted, conducted, and navigated by pilots "duly authorised and licensed by the mayor, bur- "gesses, and commonalty of the city of Bristol, "by warrant, under their corporate seal; and that "the master, owner, or owners, of every ship or "vessel which should be navigated in the limits "aforesaid without a pilot licensed as aforesaid, "should forfeit double the sum which would have "been demandable for the pilotage of such ship "or vessel, together with 5 *l.* for every 50 tons "burden of such ship or vessel;" do you think that the liability to pay double pilotage, with 5 *l.* for every 50 tons in addition, does not constitute such a penalty as in point of fact makes the pilotage compulsory?—In the case of the "Great Eastern" it would undoubtedly.

2475. And for a large class of vessel it would be so?—Yes.

2476. In that case, it being the law that, a pilot being on board, the master is bound to act under his directions, you would not think it reasonable to tell the master that he should be liable for an accident arising from the negligence, incompetence, or want of skill of a pilot?—No; not if you assume, first, that he is bound to take a pilot, and next, that he is bound to act under the pilot's directions.

2477. You do not give any opinion as to whether or not there would be an efficient system of pilotage if it were not compulsory?—No.

Wednesday, 27*th April* 1870.

MEMBERS PRESENT:

Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Mr. Shaw Lefevre.
Mr. Philip Wykeham Martin.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. Andrew Tucker Squarey, re-called; and Examined.

Mr. *A. T. Squarey.* 27 April 1870.

2478. Mr. *Gourley.*] You stated that about half of the cases that we have in our Admiralty Courts emanate from Liverpool?—Yes, I believe about one-half.

2479. Is not that evidence of a want of care on the part of your pilots?—No, because these collision cases that come from Liverpool arise from the ships being in Liverpool; the collision itself frequently takes place in foreign parts or upon the seas, not necessarily in the Liverpool waters; of course, there are many collisions that occur in the Liverpool waters, but not all those cases which come from Liverpool for trial.

2480. You said that you thought that the pilot was simply the adviser of the captain. If the pilot is simply the adviser of the captain, would it not be better to leave the ship entirely in the hands of the captain, and leave it at his option whether he would take a pilot or not?—I think so. I have not suggested that it should be made obligatory upon the captain to take a pilot on board; there may be cases where there is peculiar danger in the channel, where it would be desirable that it should be obligatory upon the master to receive a pilot on board; the vessel might otherwise be wrecked and block the channel.

2481. Mr. *Hardy.*] Were the Liverpool Dock Board consulted at all as to this Bill before it was brought in?—No.

2482. I believe that the board has no pecuniary interest in maintaining the system of pilotage?—No, not any whatever; the dock board derives no benefit whatever from the pilotage funds in any way.

2483. Sir *C. Wingfield.*] You said that you thought it was right that all ships should pay pilotage dues, whether they employ pilots or not?—Yes, if you assume that if a permanent and regular pilotage system is necessary, it must be carried on in such a way that all vessels having an opportunity of availing themselves of the pilot service should contribute in some degree to the pilotage fund.

2484. Then if it was held that the system of compulsory pilotage is necessary, it would follow that all exemptions that are now enjoyed from the payment of pilotage dues should cease?—It would follow as a matter of strict principle that it should be so, although the degree in which they should contribute might be varied infinitely.

2485. The exemptions upon the Thames are very great; are you aware that all the modifications of the rules have tended towards extending the exemptions?—Yes.

2486. Do you think it would be possible to retrace our steps and do away with all exemptions?—I think it might be possible in ports where it is really necessary to maintain a regular pilotage system; as I have said, you could graduate the scale of payment in each case according to the possible requirements of the vessels.

2487. You do not undertake to pronounce an opinion as to whether it is possible to maintain a compulsory system of pilotage or not?—No.

2488. You said that the commission that has been sitting lately on the French law of pilotage pronounced an opinion that compulsory pilotage is quite compatible with the liability of owners?—Yes.

2489. Because they say the owner is only obliged to pay for the pilot; he may take him on board, but he need not use him when there?—That is so.

2490. Secondly, they say, that as the pilot is only an aid to the captain, he does not supersede him; that even though it was compulsory to employ a pilot, and he having got the pilot on board, was bound to make the ship over to him, yet this would be no argument for removing the liability of the owner, because the pilot is, at the best, only an adviser?—I so understand the remarks of the French commissioners on the subject.

2491. You would approve of that view?—Yes, I think so.

2492. Is there not something unreasonable in compelling an owner, under heavy penalties, to take a pilot, and at the same time to say that he need not employ him, or if he does employ him, it is simply as an adviser?—No, I cannot say that it appears to me to involve an anomaly.

2493. If he is only an adviser, should his employment be compelled under penalties?—Yes, I think that depends upon a different idea; the compulsion to pay, in my idea, depends upon the necessity of maintaining a pilotage system for a particular port.

2494. Do not you think that the view which the English law takes is more sensible, namely, that by making pilotage compulsory, you imply that a pilot is necessary for the safe navigation of

of the vessel; and as you have forced the pilot upon the owner, he ought not to be responsible for the acts of a man whom he has been compelled to employ?—I should think so: if the law did really force the pilot upon the owner, and compel the owner to follow the pilot's directions, then I think it would be right that he should be relieved from responsibility.

2495. But in practice, would it not be very difficult to draw the line, where the duty of the owner to interfere with the pilot's directions for the navigation of the ship, begins or ends?—That is rather a question for a nautical man, but so far as I can form an opinion upon the subject, I do not think there would be much difficulty; the duty of a pilot is, generally, to indicate to the master, the buoys, marks, depth of water, currents, and so on, which affect the local navigation.

2496. *Chairman.*] I was rather surprised to hear you say, yesterday, that in your opinion pilotage was not compulsory at Liverpool?—That is my opinion.

2497. You arrive at that opinion upon the terms of the Liverpool Act?—I come to that opinion upon the terms of the Liverpool Act.

2498. Which Act only compels the owner to pay the same amount of pilotage if he does not employ a pilot as he would if he did employ a pilot?—Yes.

2499. Are you aware that section 353 of the Merchant Shipping Act imposes a double penalty?—I am quite aware of it; it had slipped from my mind at the moment.

2500. So that there is a penalty at Liverpool as well as at other places of double pilotage, if a captain does not employ a pilot?—Yes, I am aware of it, although the pilotage committee do not enforce it.

2501. That clause which I have mentioned applies equally to Liverpool as well as other places?—Yes.

2502. Are you aware that it has been expressly held in some cases that pilotage is compulsory?—Yes, under the Liverpool Act, in a legal sense, it is compulsory.

2503. I will call your attention to the decision of Dr. Lushington, on the Liverpool Pilotage Act, in the case of the "Maria;" he says, "Now the Liverpool Act provides for the three following cases: 1st. The case of vessels homeward bound; 2nd. Of vessels outward bound; and, lastly, of vessels lying at anchor; and, with reference to homeward-bound vessels, it is provided in the 24th section of the Act that if the master refuses to take a pilot on board he is liable to the payment of pilotage. There is, therefore, this distinction in the two cases, that in the case of a vessel at anchor the taking a pilot on board is perfectly optional with the master, but in the case of a homeward-bound vessel, it is enjoined upon him by the provisions of the Act, and if he refuses so to do he is rendered liable to the payment of the pilotage dues. This, in my opinion, amounts to a compulsion to take such pilot on board, and it was so held by the learned judges by whom the case of Carruthers *v.* Sidebotham was decided." Are you aware of that case?—Yes.

2504. I will call your attention to another paragraph in the same case. "Now the leading principle of the Legislature in exonerating owners from any damage occasioned by their vessels having pilots on board, is this: that the masters are compellable to take such pilots on board, and the owners are not responsible for the acts of persons to whom they are thus forced to commit the management of their property, and over whom they have no control. This, I apprehend, is a rule founded on a great principle of justice and equity." You see that Dr. Lushington there holds that the exemption of an owner from responsibility where he takes a pilot under this Act is on the ground that the employment of a pilot was compulsory?—Yes.

2505. And that it would be so at common law, irrespective of any statute?—Yes; but before I leave that, allow me to say that I am not singular in the view I have expressed upon that point; the late Mr. Edward James, who was Member for Manchester for some time, has often conversed with me upon the matter, and his opinion, which he retained till he died, was, that if that case could ever be brought before the House of Lords he could get that rule reversed.

2506. It was decided before the Privy Council, I believe?—Yes.

2507. Therefore the highest court in the land has already decided that point in opposition to the opinion of Mr. Edward James and yourself?—Yes.

2508. Then, in fact, it is a legal point which you think the courts have wrongly decided?—Yes; I think it is open to reconsideration.

2509-12. And that notwithstanding the fact that the Legislature has put a double penalty upon an owner who does not employ a pilot?—Yes.

2513. I understood you yesterday to say that in your opinion the necessity for the law on the subject of pilotage was, that it was desirable to keep up a competent supply of pilots?—That is in any port where that system is required by the circumstances of the port.

2514. In your opinion it is not fit for the purpose of enforcing the employment of pilots upon the owners or masters?—That may depend upon the peculiar circumstances of the port. I can imagine a case where the danger of the Channel is such that it would be desirable to make it absolutely obligatory in every case that the vessel should be placed in the charge of a pilot.

2515. What is your opinion in respect of Liverpool?—I am not sufficiently acquainted with the channel to form an opinion upon the point.

2516. Have you formed an opinion whether it is necessary to keep up the law with respect to compulsory pilotage in Liverpool, for the purpose of retaining a competent number of pilots?—I should not like to express an opinion upon that point.

2517. You have merely taken the legal view of the matter?—That is all.

2518. You stated yesterday that in your opinion the injustice of the present law might be met by repealing that clause which exempts the owner from responsibility in the event of his taking a pilot?—Yes; I think what is done under the Merchant Shipping Code now before the House corresponds very closely indeed with the suggestions which I made to the Committee yesterday; that is, you retain the system of compulsory pilotage, and you remove the immunity which an owner now has, which is precisely the scope of the Merchant Shipping Code now before the House.

2519. You have admitted to the full the objections urged by Mr. Farrar and others upon that point?—Yes.

Mr. *A. T. Squarey.*

27 April 1870.

2520. First, that it is unjust to exempt the owner from liability; secondly, that it tends to induce masters to give up the control of their vessel to pilots; and, thirdly, that it tends to induce the pilot to collude with the master of the vessel to take undeserved blame upon himself?—Yes, I entirely concur in that.

2521. Many cases have come to your knowledge of the third class, where there is strong reason to suppose it?—Yes.

2522. You think that those cases would be best met by repealing the clause which we have spoken of, and throwing the responsibility upon the owner?—Yes, I think so.

2523. Does your experience in Liverpool tend to show you that it would be possible to carry such a measure, withdrawing the protection from the owner?—Yes.

2524. Are you aware that a proposal was made on the subject, and that a Bill was brought in last Session?—Yes; I believe that there was.

2525. Was there any discussion on the subject at Liverpool?—I do not think there was any discussion, but I have heard a good many shipowners express opinions.

2526. Was any resolution passed by any of the shipowners' societies?—That I cannot say, because I am not now officially connected with any of the shipping associations.

2527. Have the Mersey Dock Board expressed any opinion upon that point?—No.

2528. When the petition against this present Bill, as far as Liverpool was concerned, was before the Committee, did they offer any opinion upon that point?—No, not any whatever.

2529. They did not suggest it as an alternative?—No.

2530. They did not petition against the Bill generally, but only with respect to Liverpool; they petitioned that Liverpool might be exempted?—I do not think that the Dock Board of Liverpool have petitioned against this Bill.

2531. I speak of the Mersey Dock Board; they have passed some resolution to that effect, have they not?—They have passed a resolution, but have not petitioned.

2532. Are they not employing persons here in the interest of the pilots?—No, not at all.

2533. Do you come here in their interest?—I come here simply from the board, not from the pilots.

2534. Are you instructed by the board to come here?—Yes; but not to express all the views which I have expressed in reference to legal matters.

2535. You have been sent here with the view of obtaining exemption for Liverpool from the operation of the Bill?—Yes; that was the feeling of the board.

2536. That was the feeling of the board, although no formal resolution was passed?—Yes.

2537. Were you present when the subject was discussed at the Mersey Dock Board?—Yes, I was.

2538. Was there considerable difference of opinion upon the subject?—There was a difference of opinion; in so far as opinions which were expressed differed very widely from each other there was a considerable difference of opinion, but my impression is that the majority of the members of the board are in favour of retaining the present system; there was one gentleman, a steamship owner, who maintained an opposite view.

2539. Did the chairman at that meeting state that he found there was a very great diversity of opinion prevailing?—Yes; I think he said something to that effect.

2540. So that it appears that the diversities of opinion were pretty equally balanced?—I do not think they were at the board.

2541. Will you give what you consider the general feeling of the board upon the subject?—I think the feeling was that the board should endeavour to ascertain the feeling of their constituents, and the merchants and shipowners of the town upon the subject.

2542. Was there a general expression of opinion of the board that the present state of the pilotage into Liverpool was not altogether satisfactory?—I think that the feeling of the board was that it might be amended in some details.

2543. I do not mean the conduct of the pilots, but the system of pilotage?—It has never been very closely considered; but I think there is a feeling that it is capable of being reformed in some details, retaining the present system.

2544. Is there not an impression that there is a good deal of waste of labour under the present system of pilotage?—I have heard that feeling expressed; but, on the other hand, I have heard it very strongly resisted by others.

2545. Is there any intention on the part of the Mersey Dock Board to bring in a Bill in reference to the Liverpool pilotage?—I am not aware of it.

2546. Not with a view of remedying it?—Any alterations they might think it desirable to make, it is within their power to make by bye-laws, with the approval of the Board of Trade.

2547. You explained to the Committee yesterday, that under the terms of the Liverpool Act, a certain portion of the earnings of the pilots goes to the boats?—The Act does not define the proportion.

2548. There is a proportion defined, is there not?—There is a proportion defined by the bye-laws.

2549. What is the proportion that goes to the owners of the boats?—I could hardly tell you. You will have before you the superintendent of the pilotage, who will give you that.

2550. The consequence is, that a property has grown up in the boats of a considerable amount?—The result is that a considerable value attaches to the share of the boats beyond their mere constructive value.

2551. Then the extent to which the pilotage earnings go towards the owners of the boats, to meet that increased value of the boats, is so much tax upon the Liverpool shipowners, I presume?—I think so; the excess which the boatowners receive beyond what would be a fair mercantile return for the money invested in the boats is no doubt a tax upon the trade of the port.

2552. Has it been considered whether it would be desirable to do away with that peculiar arrangement?—I do not think it has; I have not heard any discussion upon that point.

2553. Supposing it were thought desirable to do away with this arrangement, and to free the trade from this tax which is now imposed upon it, out of what funds could the payment be made?—There are no funds belonging to the board which are applicable to that purpose at all.

2554. The

2554. The Mersey Docks Board has no fund?—No.

2555. Do they keep the pilotage fund entirely separate from the other funds?—Yes, entirely distinct.

2556. Would it not be possible that they should contribute out of their general funds to this special purpose in the interest of the general trade of Liverpool?—It would only be possible if an Act of Parliament were passed for the purpose; they have no power at present.

2557. With a special Act an arrangement might be made for the purpose?—No doubt with a special Act an arrangement could be made for the purpose.

2558. Would it be a reasonable mode of freeing the trade?—That is a matter of opinion; if I might venture to express an opinion upon it, I should think it would be scarcely reasonable to throw upon the trade of the port the cost of an alteration which the trade does not desire.

2559. Assuming the trade did desire it, you would think it quite reasonable?—Yes.

2560. And that would be the best mode of meeting the case?—The question would arise, whether any compensation of that sort for the value of these shares should be paid out of the local funds of the port, or out of the general funds; out of the Imperial funds.

2561. At present it is in the shape of a special tax upon the trade?—No doubt it is so.

2562. Have you considered the clauses of the Compulsory Pilotage Bill generally with regard to compensation; are you prepared to express any opinion yourself upon them?—Scarcely; except that it strikes me that an interval of two years might be attended with great inconvenience and anxiety to the pilots themselves.

2563. You think it would be desirable to limit the time within which the compensation should be paid?—Yes; I think it would be desirable to do it promptly.

2564. Have you any objection, with that exception, to the rate and the particular form of compensation?—The compensation is now left wholly in the discretion of the Board of Trade, as it appears to me; I think that would scarcely be satisfactory to the pilots.

2565. Have you any suggestion to make with reference to it?—No, I have not considered it with the view of placing any alternative suggestions before the Committee.

2566. Mr. *Graves.*] With regard to the question which the Chairman put to you as to the increased amount of capital in the boats being a tax upon the trade of the port, would not the mode suggested of recouping it out of the revenues of the trade of the port be an equal tax?—Clearly; it would be only substituting and capitalising what is now used for other purposes.

2567. And you would have to raise the pilotage, or some other of the revenues derived from the trade of the port, to meet the increased charge?—Yes, because there are no other funds available for it.

2568. The compensation which was made some 10 years ago, when the differential dues were done away with, was paid out of the Consolidated Fund?—Yes, it was paid out of the Consolidated Fund.

2569. Is not that, to some extent, a precedent to be acted upon if there should be any similar reduction made now?—It may be regarded, to some extent, as a precedent for any action that should be taken in any direction now as to the source from which the compensation should come.

2570. In order to carry out a scheme which they do not ask for or think desirable in connection with their port, probably the trade of the port would naturally object that they should be in any way taxed for an alteration of the law?—I think they would, decidedly.

2571. When the Chairman of the Dock Board said that there was some difference of opinion existing outside, had the Shipowner's Association recorded their opinion?—Up to that time they had not recorded any expression of their opinion.

2572. Have they done so since that time?—I believe they have.

2573. Was it favourable or unfavourable to the present Bill?—Unfavourable to the Bill and in favour of the continuance of the present system of pilotage.

2574. *Chairman.*] On the other hand, the steamship owners have passed a resolution favourable to the Bill?—They have.

2575. Mr. *Graves.*] Is there much difference of opinion existing among the steamship owners themselves invidually?—There is considerable difference of opinion among the individual owners.

2576. *Chairman.*] I presume also there is a difference of opinion among the other shipowners?—Yes.

2577. Therefore the result may be, as properly described by the chairman of the Mersey Dock Board, that opinion is very much divided upon the Bill?—Opinion is very much divided.

2578. Since you gave your evidence yesterday upon this subject, have you referred to the North German code?—I have. I find that by the 740th Article of the North German code it is provided that when a ship is in charge of a pilot where pilotage is compulsory, and they carry on and perform the duties required of them, the owner of the ship is not responsible for a collision caused by the pilot.

2579. In that respect the North German code is the same as our own?—Precisely so; I have prepared myself to give you some information upon the subject of pilotage as affecting the law of insurance.

2580. Have you any remarks to make upon that point?—I thought the Committee might probably desire to know how the present law of insurance is affected by pilotage.

2581. Will you just state that to the Committee; of course you are very conversant with that particular question of law?—Yes, I have had a great deal to do with insurance. There is a passage which I am about to read now, which I take from Mr. Arnould's book on the Law of Maritime Insurance, which is a standard work upon the subject, and he sums the law up in this way: "The law seems to be, that supposing the "ship to have been seaworthy when she sailed, "and provided with a competent master and crew, "the underwriter is liable for all loss proximately "caused by the perils of the sea, although remotely occasioned by the negligence or misconduct of the master in entering without a "pilot, an intermediate port where pilots are "kept, and usage requires one to be taken on "board for that purpose; *à fortiori* he is so liable, "if the master on arriving off the port have done "his best to procure a pilot to come off, and has "only

Mr. *A. T. Squarey.*

27 April 1870.

" only entered the harbour without one when it " became the wisest course for him, as a prudent " and skilful man, so to do; if not only usage, but " the positive regulations of an Act of Parliament require a pilot to be taken on board on " entering either an intermediate or a home port, " then it has been held in one case to be unseaworthiness to enter such port without one; and " in all cases where it is necessary, either by law " or usage, for the master to have a pilot on " board in going out of an intermediate port, or " in clearing from his outport homewards, it will " be unseaworthiness not to take one, for it is in " such cases always in his power to do so."

2582. Has it not, however, been held that in the event of a master proceeding from one of our ports immediately after an insurance has been effected, if he has not taken a pilot, and is not himself a competent man, and does not know much about the particular district, the vessel is unseaworthy?—It has been held so.

2583. The particular case you now quote is that of a master declining to take a pilot at some intermediate port?—Yes.

2584. That introduces a difficulty in the law about the warranty of seaworthiness being only a warranty at the first commencement of the voyage?—Yes; on voyage policies.

2585. There is no implied warranty that she shall be seaworthy all through the voyage?—No.

2586. In the case of a time policy it has been held differently?—In the case of a time policy it has been held that there is no warranty of seaworthiness at the commencement of a voyage.

2587. And therefore none running through?—Exactly.

2588. I think, on the point which you have just quoted to the Committee, the American law is rather different to ours?—It differs in this respect: the American law says there is an implied warranty on the shipowner as between him and the underwriters, not only to have his ship seaworthy at the commencement of his voyage, but to take every opportunity of keeping her seaworthy throughout the voyage.

2589. So that, under the American law, assuming that the captain is not himself competent, the master would be bound to take a pilot at any intermediate port?—Yes; unless the captain is competent.

2590. Under our law he is only bound to take a pilot at first starting?—That is clear; but whether he is bound to take a pilot at an intermediate port is not clear.

2591. It is perfectly clear that he is obliged to take a pilot at the first commencement of his voyage?—Yes.

2592. That is always assuming that the master is not a competent man?—Yes; it is a necessary condition of seaworthiness that he should, at the port of departure, take a pilot.

2593. If this Bill passes into law, in every case in which vessels proceed from our ports under policies of insurance just effected, the law would hold that there is an obligation on the part of the master to take a pilot, assuming that he is not competent himself?—Yes, I think so.

2594. Mr. *Gourley.*] If the master holds a certificate, is he not deemed to be a competent man?—Yes, if the master has a pilotage certificate; that of course would obviate the necessity of taking a pilot.

2595. I do not mean a pilotage certificate, but an ordinary master's certificate?—The ordinary master's certificate under the Merchant Shipping Act would not, I think, relieve the ship from the necessity of taking a pilot.

2596. *Chairman.*] Have you ever considered whether the American law is better than our own with reference to insurance?—I think that on that point the American law is better than our own.

2597. Not only with reference to the obligation of taking a pilot, but with reference generally to seaworthiness?—With reference to the question of implied seaworthiness, of which we have been speaking, I think it is more reasonable.

2598. Mr. *Stevenson.*] What is the effect of the few words that used to be inserted in the advertisements announcing the sailing of steamers, that they would sail at such an hour with or without a pilot?—The meaning of it was to reserve the option, on the part of the owner, to take or not to take a pilot; but that was as between himself and those who sent goods, and not as between himself and the underwriters. I think that that only amounts to a statement on the part of the owner of a vessel to those who are about to ship goods, that he is not bound himself to take a pilot.

2599. What was the necessity for putting in such a saving clause?—The words are very old, and it is difficult to know how they originated.

2600. They are out of use now?—Yes, to a great extent; not entirely.

2601. Mr. *Brassey.*] Is the Shipowners Association of Liverpool a numerously constituted body?—There are two bodies, the Steamship Owners Association and the Sailing-ship Owners Association, and they together embrace almost all the shipping of the port.

2602. Was the Sailing-ship Owners Association unanimous in its objection to the abolition of compulsory pilotage?—I am not able to tell you that; I am not cognisant of the discussion that took place upon the subject.

2603. Mr. *Graves.*] In giving your opinion of the possibility of maintaining the present system of pilotage at Liverpool, I presume you speak more with reference to the principle of the system than you do with reference to the details or the incidents upon which the dues are levied?—Yes, quite so.

2604. Apart from the question of dues altogether?—Apart from the question of the amount of the dues altogether.

2605. You express no opinion upon the possibility of remodelling or reconsidering at all the incidents of the tax?—It might be quite possible to reconsider and remodel those.

2606. *Chairman.*] Have you formed any opinion as to the possibility of maintaining an efficient staff of pilots supposing this Bill were to pass into law?—I really should be sorry to put forward my own views upon that subject to the Committee; I do not think they are entitled to weight.

2607. You have no experience of other places where there is a system of voluntary pilotage?—No.

2608. Therefore, you are unable to say whether a competent staff of pilots can be maintained where there is a system of voluntary pilotage?—I am unable to say so; but I should think it would depend very much upon the local circumstances of each port, and the peculiar difficulties of approach to each port.

2609. After

2609. After explaining the law of insurance with reference to this matter, is it not your opinion that the employment of pilots would be very frequent?—I think the employment of pilots would still be very frequent; but I think in very fine weather vessels would not use pilots; in bad weather they would use them.

2610. Even in fine weather the obligation under the insurance law, which you have just pointed out, would still be maintained?—Quite.

2611. Therefore, even vessels of a large character leaving Liverpool in the commencement of a voyage would be bound to take pilots?—Yes, under the implied warranty.

2612. Always supposing that the master is not competent?—Yes.

2613. I presume that the question of competency of the master would be a question of fact for the court to consider?—I think that the question of the competency of the master, according to our law, would depend upon the question whether he held a pilotage certificate at a particular port.

2614. Supposing the system of pilotage certificates was done away with, it would probably become a question of fact?—It would become, as it appears to be now in the American law, a question of fact. I am now quoting from the second volume of Parson's Book on Maritime Law. He is speaking here of the law of American insurance and implied warranties. "So as to "pilotage, the ship is unseaworthy if she is with- "out a pilot, where usage and the reason of the "case require that she should have one, whether "in entering or leaving a port. If a pilot be ne- "cessary, and a person falsely representing him- "self as one, is in good faith, and without gross "negligence received as such, there is no breach "of the warranty of seaworthiness; nor is there, "if the master or some one else on board can "direct the ship over the pilotage grounds, and "has sufficient skill to perform the duty as a pilot "should perform it. Nor should we say on gene- "ral principles that the neglect to receive a pilot "where one was required to be taken by a law "of the port, necessarily made the ship unsea- "worthy. The standard of seaworthiness varies "at different places, and, in general, that must "be taken which rules at the place where the "vessels belong." Then I think I have seen a note in which he states that the competency of the master is a question depending upon the circumstances of each case.

2615. Assuming that the navigation of Liverpool is of that severe and difficult nature which some of the witnesses have stated here, I presume that, under the law that you have now described, it would be considered that a vessel is not seaworthy which does not take a pilot, assuming that the master is not thoroughly competent?—Yes.

2616. Therefore, the great bulk of vessels proceeding from Liverpool would, notwithstanding this Bill passing into law, still be compelled to take a pilot under the general law?—Yes.

2617. All British vessels proceeding upon their voyages would be so compelled, and American vessels, even when they come to Liverpool as an intermediate port?—Yes; I think so, certainly.

2618. With regard to British vessels coming into Liverpool, the point is open to some doubt?—It is still open to some doubt.

2619. But, on the commencement of the voyage, they would be under the general law compelled to carry pilots?—Yes.

2620. Mr. *Hardy.*] This is with reference to vessels which are insured?—Yes.

2621. What proportion of the vessels are insured?—I should think a very large proportion are insured.

2622. You have not any idea of the number?—No; but you will have a gentleman before you who can supply you with the numbers.

2623. Sir *C. Wingfield.*] Are those opinions which you have just read, founded upon judicial decisions?—Yes.

2624. *Chairman.*] You are of opinion that a very large number of vessels would still be compelled to take pilots?—Yes.

2625. Having regard to that opinion, do you think that the employment of pilots would still be very frequent?—Yes.

2626. And under those circumstances, do you think there is any doubt as to the supply of competent pilots?—Different arrangements might be made as to underwriting; it is possible, if the vessels were relieved from the legal obligation they are now under to take pilots, underwriters might be found who would waive this implied warranty, so far as regards pilotage.

2627. Is that your opinion where pilotage is voluntary?—I have no such experience.

2628. You have not ascertained whether that is the fact?—No.

2629. Mr. *Charles Turner.*] No clause is ever inserted in a policy exempting a ship from effecting an insurance?—No.

2630. *Chairman.*] There is an implied condition of sea-worthiness, not expressed at all?—Yes.

2631. Do you think that, probably, the underwriters would waive any such condition?—They might.

2632. Mr. *Brassey.*] I believe there is an increased competition among underwriters to obtain business?—Yes.

2633. And in the spirit of competition restrictions might be waived?—That is what I mean; I think that might possibly take place.

2634. Mr. *Charles Turner.*] Your experience tells you that there are underwriters of all classes, some of whom would take extreme risks and doubtful responsibility?—Yes; I think so.

2635. There are many parties who are ready to take almost any risks, at low terms?—Yes.

2636. The question as to whether the rates of the company would be beaten down is a question of the probable solvency of the underwriters to pay for the risks which they have undertaken?—Yes

2637. Mr. *Gourley.*] The tendency among the underwriters is to get the highest premium possible, is it not?—Yes, with the least risk.

2638. Mr. *Charles Turner.*] So far as this goes you mean that underwriters, like all other people, wish to get as many risks as they can in most cases?—Yes.

2639. They are desirous of getting the utmost premium they can, if they get the risk at all; but rather than let the risk pass them they often take risks at inadequate premiums?—Yes; I have heard that that is so.

2640. Mr. *Gourley.*] The owners do not like such underwriters?—But they underwrite with them. There is a certain class of owners who are not liked by good underwriters.

2641. *Chairman.*] With regard to this implied condition

Mr. *A. T. Squarey.*
27 April 1870.

condition of the policy of insurance, that a vessel is to take a pilot, I believe it applies equally to ports where there is a voluntary system of pilotage, as to ports where there is a compulsory system?—It applies to any port where it is the usage of vessels to take pilots; *à fortiori* where there is a legal obligation to do so.

2642. And where the navigation is difficult?—Yes; but I presume that where the navigation is not difficult it would not be necessary to take pilots.

2643. Mr. *Graves.*] In some ports in which there are exemptions as there are in the Mersey, would a vessel proceeding to sea under those exemptions be regarded as seaworthy without a pilot, while a vessel going out under the present obligation of compulsion would be considered unseaworthy if she had not a pilot?—Yes, if it is not usual for vessels of that class to take pilots; although they are exempt, it may be usual for them to take pilots; if it were usual, notwithstanding the exemption, I think the absence of a pilot would still be unseaworthiness.

2644. *Chairman.*] Take as an illustration the north channel of the Thames, upon which all the vessels from the north of Europe proceed to London; vessels are exempt under the general law from taking pilots, we have been told, as a matter of usage, that these vessels do take pilots; and I presume, therefore, under the law that you have explained to the Committee, if any one vessel refrained from taking a pilot, it would be a breach of the implied warranty of seaworthiness?—I think so.

2645. Sir *Charles Wingfield.*] You also said that if the law were changed, and the obligation to take pilots were entirely removed, that probably this view of seaworthiness would undergo some modification?—That is possible.

2646. *Chairman.*] But it has not done so yet in cases where pilotage is voluntary?—I do not know that.

2647. That fact would, therefore, have a considerable bearing upon the opinion that you gave?—Yes; I will give an illustration in the port of Liverpool; take ordinary coasting steamers, which pass in and out three or four times a week without taking pilots at all; they habitually do not take pilots; there, I imagine, that the absence of a pilot would not vitiate the insurance; it would not be held to be a breach of the implied warranty of seaworthiness.

2648. Probably, in those cases, the courts would hold as a matter of fact that the captain is competent?—Yes; and that there is no usage in that case to take a pilot.

Captain Graham Hewett Hills, R.N., called in; and Examined.

Capt. *G. H. Hills,* R.N.

2649. Mr. *Graves.*] I believe you are a Staff Commander in the Royal Navy?—I am.

2650. You are the Marine Surveyor of the Mersey Docks and Harbour Board?—Yes.

2651. Have you had much experience in marine surveying?—I was four years engaged on the Admiralty surveys on the coast of Ireland, I was sent on a preliminary survey to the Baltic before the Baltic campaign, and I was engaged one year on the survey of Bar's Sound, in the Baltic.

2652. Have you any official connection with the pilots at Liverpool?—I have no other connection except that they rely on me for information respecting the changes of the channels. I am one of the examiners of pilots.

2653. I believe you are yourself a pilot of the Downs?—The Admiralty require that their navigating officers should qualify for certain parts of the coast of England, and I hold a Trinity House certificate for the ports of the south coast of England.

2654. From the Downs to the Land's End?—From the Downs to the Land's End.

2655. When in Her Majesty's ships you must have had a good deal of experience of the ports on the south coast, the Bristol Channel, and Milford?—I spent four years on the home station, and I became well acquainted with them.

2656. Have you any experience of the east coast at all?—Only as far north as the Humber, including the Humber.

2657. In the discharge of your duty as surveyor to the port of Liverpool, have you become very familiar with the approaches to the channels?—It is a special part of my duty to become acquainted with the changes that are constantly going on.

2658. Are you constantly engaged in surveying the bars of the channels?—Our surveys are continuous; we have no sooner completed one than we begin another.

2659. State at what periods those surveys occur?—We usually make a complete survey every year, starting at the beginning of the year, and ascertaining what points seem to require most attention; sometimes it happens that one part will be surveyed two or three times over during the year; in addition to that we make a special survey of the bars every month; we take the lowest tides in every month for a special survey of the bars.

2660. Will you show the principal entrance into the port of Liverpool upon that chart?—The channel principally used now is the Queen's Channel.

2661. Point out the bar?—The bar of the Queen's Channel lies between those two points (*pointing to the chart*).

2662. How many miles is that from Liverpool?—A little better than 10 miles from Liverpool; it is seven miles from the nearest land.

2663. Do you find in the course of your survey that very great changes take place in that channel?—The change is continuous; there is some change always going on; so lately as November last we completely re-arranged the buoys of the Queen's Channel, and already this spring I have had to shift the bar buoys again.

2664. Can you tell at all what causes these great changes?—It would be very difficult to say what the causes are; sometimes it appears as if a gale of wind changes the bars; at other it is freshets, heavy rains coming down the river; and at other times after a series of tides, when the tides are comparatively slack, the bar silts up; again strong tides deepen it. I could give you an instance last summer of the Queen's Channel bar, and the Victoria inner bar shoaling up, the one to six feet, and the other to eight feet; it reached it shoalest point in August; the Victoria bar deepened by October a foot only, and the Queen's Channel bar deepened to 11 feet by October; at the present time the Queen's

Queen's Channel bar has shoaled to nine feet again.

2665. Mr. *John Stewart Hardy.*] Is that during low tides?—Low water, and the tide ebbing 10 feet below the Old Dock Sill.

2666. Mr. *Graves.*] Does the position of the bar itself vary very much?—The bar itself has for five years been moving gradually to the north-westward; it tumbles out into the deep at the same time going to the north-westward; I do not know whether you understand which is the Little Burbo Bank; that bank is growing into the Queen's Channel and forcing the stream over to the north-westward.

2667. From what you state, I gather that it necessarily requires most unceasing vigilance on your part to be able to detect all the minute changes that are taking place?—It requires constant attention.

2668. And I suppose the same remarks that apply to you would apply to the pilots as regards their knowledge of those changes?—The pilots rely upon me to furnish them with information; anything I have worth communicating, I communicate to the Superintendent of Pilotage, and occasionally, if anything very important occurs, I have invited him to bring the master pilots with him in order that I may show them upon the spot what is going on.

2669. From your knowledge of the coast of this kingdom, is there any other portion of it that at all compares with the peculiarities and dangers of the Liverpool estuary?—I know of no place that combines such changes of the channel, with the difficulty of approach to Liverpool caused by want of anchorage and shelter, I do not know of any other place that can be named which would at all compare with it; other places have the advantage of good land-falls, and good anchorages.

2670. In practice, what length of time is there for large vessels to cross the bar?—In fine weather large vessels may take the bar for about three hours before, and three hours after high water; in bad weather the time would be more limited, because it would be very dangerous for a vessel to be making for the bar outward bound, with a falling tide; if the wind was against her it would be doubtful whether she could reach the bar in time; and therefore the time is practically limited for a large vessel to within two hours after high water.

2671. Have many cases of obstructions on the bar occurred during your surveyorship?—On the bar and in the channels since I have held the office of marine surveyor, there have been seven cases where wrecks have occurred in such a way as to be eminently dangerous; two of those cases were actually on the Queen's Channel bar.

2672. Will you state to the Committee what your usual course is when a wreck in the channel is reported to you?—I immediately make such communications as seem necessary; in the first instance to the superintendent of pilotage; then we have our coast line of telegraph, which furnishes us with the means of communicating with the pilot boats, and the information is forwarded to the pilot boats on their stations by means of that coast telegraph; we know whether the pilot boats are on their stations or not, because I furnish to the superintendent, five times every day, reports from the telegraph of the position of the pilot boats on certain stations, so that we always know if the boats are there, and we know whether or not we can communicate with them. In those two instances in which the vessels were actually grounded on the Queen's Channel bar, in addition to the local precautions I telegraphed to all the outports, whence it was likely that coasting steamers might be coming, or to whom I thought it might be dangerous.

Capt. *G. H. Hills*, R.N.
27 April 1870.

2673. Are you able to exercise a most complete check and control over the pilot boats on all stations where you have the telegraph?—Yes, I think we have as complete a knowledge of all their positions as it is possible to obtain.

2674. How often during the day would the position of the boats be communicated to you?—It is communicated at sunrise and at sunset; at nine o'clock at noon and at three o'clock.

2675. Do you attach much importance to the necessity of having the boats upon these stations?—I think one of the most valuable points, in fact the most valuable point in the Liverpool system, is the maintenance of those stations; without it you would have no certainty of finding a pilot. The point at present is that a ship runs up with the absolute confidence that she will get a pilot.

2676. With reference to outward-bound vessels in Liverpool, is it within your general knowledge that they are in as difficult a position from shifts of wind, after they leave the bar and the North-west Lightship, as they are within the bar?—The fact is, the casualties we have in Liverpool occur mostly with outward-bound ships; when a ship is getting away, on account of the strength of the tide, it is almost a matter of necessity for her to go with the ebb tide; she gets over the bar, and if she meets an adverse wind she cannot get back over the bar; the tide has fallen, and she has the banks under her lee; she cannot run back, she must do the best she can to keep off.

2677. Have you formed any opinion as to how far it would be possible to maintain that strict system which you have adopted in Liverpool, provided that the taking of pilots was entirely a matter of option on the part of the shipowners?—I think that a service so strictly regulated must require regular maintenance; I cannot see how a service to be strictly regulated can be maintained upon casual employment.

2678. It is proposed to give the pilotage authority all the powers that they now have, of compelling the pilots to be on those stations?—I am quite aware of that; but the power of making regulations is one thing, and the power of enforcing them is another. It is quite one thing to make a regulation, and another thing to see that it is carried out; there is no practical effect in any regulation, if it carries with it a sense of injustice. If the men feel themselves unduly pressed upon, it induces them to find ways of evading the regulation.

2679. Your opinion is that it would not be possible for any length of time to maintain the present stringent system?—I do not think the present system could be maintained under the system of voluntaryism on the part of the shipowner.

2680. What is the other alternative?—I can see no choice between the present system and adopting as nearly as possible what is called free trade, allowing the pilots to do as the tugs do, make their own bargains.

2681. And be where they think they are most

Capt. *G. H. Hills*, R.N.

27 April 1870.

wanted?—And be where they think they are most wanted.

2682. Is it likely that under such a system as that the pilots would maintain the stations, or would they rather go a little distance out?—I do not think they would maintain their stations at all; their object then would be to cut each other out, the one getting before the other and picking up ships as they come, or in fine weather the pilots would not go out at all; they would say, "No ships will take us now; we will wait for bad weather, and then see what we can do."

2683. Supposing such a change was effected and perfect freedom thus given, both to the pilot and the shipowner, do you consider that, in the interest of the shipping of the port of Liverpool generally, the free system would be as good and efficient a one as the present system?—No, I do not; I consider that the risks of navigation would be very much increased.

2684. Why?—Because pilots would not be found at their posts when they were wanted; it would be a chance where they would be found.

2865. You mean vessels in the channel might overrun these pilot boats, whereas there is no possibility of doing it now?—You find most unexpected cases where pilots are required. I can give you one that occurred only on Monday week, in the case of a little Irish coaster of 25 tons. The master anchored near the North-west Lightship, in a fog; he remained at anchor for the best part of the night; his lights were seen by the North-west Lightship, and in consequence of the fog all the steamers were making for the North-west Lightship, and he found himself getting so many close shaves that he got alarmed, and he sent a boat on board the North-west Lightship and begged them to send a pilot; they said they had not a pilot to send, but they could hear a pilot-boat's gong, and they directed him in that direction. He waited for several hours, and at length he boarded the lightship again, and, as the master would not spare one of his own men, he got under weigh, and the lightship lost sight of him for about half-an-hour, and at the end of that time he came back again, and he said he was afraid to go out of sight of the lightship; the steamers were going about him so fast that he had gone below, so that he might not see the steamers run him down, and he asked whether the master of the lightship would now give him a man to take him up: he said he would, and he gave him one. That man was in want of a pilot then. You find cases occuring in that way, that coasters who are not under any compulsion to take pilots are obliged in some cases to look for pilots; and if you did not know where a pilot was, there would be much greater risk of the loss of ships and life than there is at present.

2686. You must be aware that the system of voluntary pilotage is somewhat general in many ports, and they find no difficulty in getting pilots?—That is entirely according to the necessities of the port itself, and the circumstances of the port; there are some ports in which it is simply surprising that there should be any pilots at all.

2687. Which ports do you refer to?—Queenstown, for instance.

2688. Have you much knowledge of Queenstown?—I have been many times in and out of Queenstown.

2689. Were you then in one of Her Majesty's ships?—I was in command of a small surveying vessel. Queenstown is so simple in itself, that for many years it has been forbidden to Her Majesty's ships to take pilots there.

2690. Is that on account of the simplicity of the navigation?—The Admiralty have considered that the pilotage is so simple, that Her Majesty's ships ought not to be charged with pilotage, and their officers ought to make themselves competent to take their ships in.

2691. Do you know the Bristol Channel at all?—I have spent some little time in the Bristol Channel.

2692. Do you know it sufficiently to form any comparison in your own mind as to how far a system which was adapted for the Bristol Channel would be suitable for Liverpool?—In the first place, the pilotage system of the Bristol Channel was a different thing altogether from the system of Liverpool. If you look into it you will find that the complaint there against compulsory pilotage amounted to this, that Bristol claimed to rule the ports of Cardiff, Swansea, and Gloucester in their pilotage. It is the same thing as if Liverpool should claim to rule Beaumaris; but Liverpool has never claimed any such thing. The pilotage of Liverpool relates to Liverpool itself, and has never given rise to any such questions as those which opened the question of compulsory pilotage in the Bristol Channel. But for the most part the pilotage system of the Bristol Channel is a comparatively simple matter, and until you pass the Holms, there are no considerable difficulties in the Bristol Channel at all.

2693. *Chairman.*] From there up to the entrance of the Bristol River or Gloucester it is a considerable distance?—Yes.

2694 And the navigation there is very difficult?—The navigation to Gloucester is peculiar.

2695. And it is very difficult, is it not?—I should compare the navigation at Gloucester with the navigation of the Upper Mersey from Liverpool to Runcorn.

2696. From the Holms as far as the entrance of the Bristol river it must be a sea pilotage?—It is a sea pilotage; but the Holms themselves form anchorages, and you have shelter all the way up; it is not sea pilotage, in the sense that you are out of sight of land, or exposed to heavy seas.

2697. But it is very difficult navigation?—The difficulty of the navigation there is exactly the same as the difficulty of our Upper Mersey navigation; there you have the very same rise and fall of tides, and consequently very strong tides, and the banks are shifting, but that has nothing to do with the Liverpool pilotage; the Liverpool pilots do not pilot the Upper Mersey.

2698. We have the same difficulties below, namely, shifting banks?—In a very different character.

2699. Mr. *Brassey.*] They are not exposed to any heavy sea?—They are not exposed to a sea at all; it is smooth water.

2700. Mr. *Graves.*] Are the banks of the same shifting character?—I never was at Gloucester, but my studies and general knowledge of the subject, lead me to suppose that the Gloucester banks are sand-banks subject to shiftings; the tidal effects of that part of the Bristol Channel are subjects which are frequently discussed, and well known to those engaged in marine surveying.

2701. *Chairman.*] It is impossible for a person who does not know the navigation to pilot a vessel?

vessel?—I should imagine nobody ever took a ship to Gloucester without a pilot.

2702. Mr. *Graves.*] It has been stated here by one of the pilot authorities of Gloucester that there are no buoys in the river at Gloucester; would not that lead to the impression that there was no great amount of shifting?—It is not quite that, but it is, that with a rise of 44 feet of water, it is absolutely certain that the channel will afford sufficient depth at high-water time for almost anything to pass up it.

2703. Over the banks?—Over the banks.

2704. Still I presume that the difficulties of navigating the Severn arise from physical conditions, irrespective of the weather and the ordinary perils of navigation?—Quite so.

2705. So that whatever the system of pilotage might be, in a place like the Severn no master probably would take vessels up or down, owing to the extraordinary tide, without a pilot?—I do not imagine anybody would go up the Severn without a pilot.

2706. Have you any experience of the Tyne?—No; I never was north of the Humber. I only know the Tyne by reading of it.

2707. Is that chart of South Shields on the same scale as that of Liverpool?—It is upon the same scale; it is enlarged from the Admiralty chart.

2708. The bar there is merely a question of a couple of miles?—The bar is virtually inside the river; there formerly was a bar, but it has been dredged away. There is about five feet of water in the entrance of the river at low water, and it is the same depth all the way up to Newcastle.

2709. Would you consider it a fair inference, because a certain description of pilot system works well in these ports, that it should apply to the Downs or to the Mersey?—It could not apply at all; the system there is entirely different. A vessel approaches within a mile or so of the pier, and a man puts off in a small boat and boards her. There is no system maintained similar to the regular cruising system of Liverpool, neither is there any necessity for it.

2710. It is simple in comparison with the Mersey or the Downs?—It is quite simple.

2711. You know Plymouth very well?—Yes.

2712. Would you class that in the same category as Queenstown?—No; Plymouth is just a point above Queenstown.

2713. Would you class Portsmouth in the same category as Queenstown?—Portsmouth again would rank higher than Plymouth; the approach to Portsmouth is more difficult.

2714. And Cowes?—I put the whole of the Isle of Wight navigation together with Portsmouth; either end of the Isle of Wight must of course be navigated before you can approach Portsmouth.

2715. *Chairman.*] Where would you put Falmouth?—About equal with Queenstown.

2716. Mr. *Graves.*] Is it your opinion that it is a matter of any great moment whether you have compulsory system or the voluntary system at ports similar to those you have named?—I think it is a matter of comparatively small moment.

2717. Have you the same necessity for a pilot in the Mersey inside the Rock that you have outside?—The difficulties of the Mersey are not ended until a vessel gets into dock. In the first place, there are rocks and banks; there is an outlying shelf of rock lying along the frontage of the Clarence and the Bramley Moore Dock; there is Pluckington Bank, extending from George's Landing Stage two miles south. On the Egremont side, there is a bank called the Cow and Calf in the neighbourhood of Egremont Ferry; and again, you have not only the banks, but the tides themselves to consider; it requires a pilot to know that the tide sets up the river half-an-hour or three-quarters of an hour in some parts of the river after it has turned down in certain margins of the river; that the ebb would be making at one part and the flood at another.

2718. Do you find that the changes in the Pluckington Bank are as great as in the banks outside?—The Pluckington Bank is undergoing continuous changes.

2719. Are there portions of the river which it is usual to keep free from the anchoring of vessels?—There is one part of the river with respect to which the Pilotage Committee have given instructions to the pilots that they should avoid anchoring as far as possible, that is, with a view to keeping the ferry track as clear as possible.

2720. You think, independently of all questions of the outside navigation, it is desirable, in order to prevent accidents and collision in the river itself, that there should be some one on board familiar with all these peculiarities of navigation?—At spring tides the stream is going at the rate of seven knots in the Mersey, and it must be a difficult thing for an inexperienced man to make good anchorage with a stream going at that rate.

2721. So that, as a matter of harbour safety or harbour regulations, it is desirable that there should be a pilot on board these vessels?—I consider it is; we have in the Mersey just at the point between the magazines and the Victoria Tower as heavy a sea as there is in any part of the Liverpool bay with certain winds; I have gone down at times off Egremont, and I have found there the heaviest sea that I have met in any part of the bay.

2722. It has been suggested that possibly the harbour regulations might be so defined and put on board vessels coming into the port as to insure certain instruction to those without pilots; do you consider that possible?—I do not consider that a stranger coming into Liverpool with a paper of instructions in his hand can possibly find it of much service to him; in the first place he comes in many times in the dark when he would have to go into his cabin to read them; and, in order to make himself acquainted with those regulations, he would be neglecting the safety of his ship by not being on deck all the time; the harbour proper of Liverpool is in a dock, and is not in the Mersey at all.

2723. From your great experience in connection with the various maritime ports of this country, do you consider that the system of pilotage at Liverpool is as good as any elsewhere?—As good as any I know of. If you will allow me I will put it in this way. You are no doubt aware that Her Majesty's ships are all exempt from compulsory pilotage everywhere, and therefore I may say that a large part of my experience has been under the voluntary system of pilotage so far as my navigation of the Queen's ships is concerned, but I know of no place where the pilotage system has so effectually met the necessities of shipping as at Liverpool.

2724. Would you view with apprehension any change from that system?—I would.

Capt. *G. H. Hills*, R.N.

27 April 1870.

2725. That is the result of your consideration of this question?—Yes, I view it with considerable misgiving.

2726. Are you able to speak at all as to the opinion of the public generally in Liverpool with reference to the service?—I have had conversation with only one shipowner who has spoken in disparagement of it.

2727. Only one?—Only one.

2728. Some of the steamship owners object to the retention of the present system, I believe?—I have heard so.

2729. But have they not the power of entirely relieving themselves from the obligation?—Yes. I first became the examiner of pilotage with the special object of enabling masters of ships to obtain certificates.

2730. You are one of the examiners of pilotage?—I was appointed the examiner of masters of ships before I examined a pilot at all; it was afterwards that the pilots were turned over to me, or that I was ordered to take them.

2731. You examine the pilots themselves as to their qualification?—Yes.

2732. Is there any difference in the mode of examination of pilots, and the mode of examination of masters and mates who seek to be licensed?—There is a decided difference, inasmuch as the pilots are examined under the bye-laws of the board. The bye-laws of the board require that pilots shall be acquainted with Holyhead, Beaumaris, and all the ports within the Liverpool district; whereas the Act of Parliament prescribes that the shipmaster shall be entitled to a certificate if he is properly acquainted with the navigation of the port; therefore the only examination we apply to a shipmaster is as to the port of Liverpool itself; we have never thought ourselves authorised to go beyond Liverpool as regards the masters of ships.

2733. It is not as severe an examination as that of the pilots?—It is a different thing altogether. As a matter of time, a shipmaster, decently well acquainted will get through his examination in three-quarters of an hour, and a pilot's examination will occupy from two-and-a-half hours to three hours.

2734. How is it that you have not had more applications for the examination of masters?—I have my own opinion as to the reason why masters do not come up, and I believe it is this, that a shipowner having a qualified master on board lies under a disadvantage if any casualty happens to his ship in connection with another ship which has a pilot on board.

2735. You are now speaking with reference to immunity from liability?—I mean that a master being in charge of such ship, beyond any question throws the responsibility of his actions upon the owner, whereas in the other case the responsibility is upon the pilot, and even supposing the pilot to be in fault, the owner of the other ship has no real remedy against him, he has nothing but the pilot's liability to depend upon.

2736. *Chairman.*] That has prevented owners from permitting masters to be examined?—That is my opinion.

2737. Mr. *Graves.*] Then it is probable that if that immunity from liability were removed, there might be a much larger number of applications from masters?—Yes.

2738. There is no desire or feeling at all evinced by the examiner as to giving these masters and mates certificates?—The examiners have no feeling whatever in the matter; as a matter of duty, a candidate passing is a much more agreeable and gratifying thing than a candidate rejected; and anybody that has tried it will find that they have a desire to pass any man who shows himself reasonably and properly acquainted with the subject upon which he is to be examined.

2739. Would you state shortly the nature of the examination of the pilots themselves?—The examination of the pilot commences at the Skerries Light, on the coast of Anglesea, and takes him all along by Point Linas into Beaumaris, Orme's Head, into Chester, along the Liverpool shore, by either of its channels, the entrance to the River Ribble, Morecambe Bay, and Walney, which is to the northward of Morecambe Bay, as far north as St. Bees' Head and the Isle of Man.

2740. Are the pilots occupied as part of their duty in sounding the channels?—The pilots, no doubt, take every opportunity of sounding; but, I believe, their chief reliance for that information is upon my department; a pilot would be very foolish to cross a bar without sounding, at any time. The pilot boats are under an obligation to make a round of the whole of their district at least once in every year.

2741. The conclusion which you come to in your own mind is this, that in the interest of life and property the present system of pilotage at Liverpool will render both safer than the voluntary system under the proposed Bill would do?—Of course I do not think there is anybody in Liverpool who would agree in any proposition of finality; that there was nothing to be improved upon anywhere; but, I consider that a change to the voluntary system, instead of being an improvement, would be very great falling off from our present system.

2742. In fact that it would be going back?—It would be going back.

2743. Mr. *Wykeham-Martin.*] Your evidence comes to this, that from the peculiar dangers which you have described as existing at Liverpool, Liverpool wants a special system different from other ports of the United Kingdom?—My opinion is that every port should be considered on its own merits and necessities.

2744. But Liverpool is a peculiarly difficult port?—It is decidedly peculiarly difficult.

2745. And therefore it wants a special system?—I believe so.

2746. Mr. *Brassey.*] I think you said that the Bar of the Mersey was seven miles distant from the nearest land?—Yes.

2747. On the Formby shore is the land very low and flat?—Captain Judkins told you very fairly yesterday the difficulty of making out the land; which is very easily explained when you remember that the prevailing winds of Liverpool are southerly, and that you have the whole smoke of the town all over the land to the northward; sometimes they are three weeks without getting a sight of the land at all.

2748. Therefore there is a peculiar difficulty in making the approach to the bar?—There is very great difficulty.

2749. And the difficulty of approach to Liverpool is therefore very much greater than the difficulty of approach to the Thames?—I believe so. In approaching the Thames you always have a good land-fall. For instance, you have the

the North Foreland before you really get into danger.

2750. And on approaching from the north you have the land about Orfordness as a good guide?—Yes.

2751. I believe you said that the prevailing winds of Liverpool are southerly?—Yes.

2752. Under such circumstances is there no anchorage outside?—Anywhere where the anchor will reach the bottom of the Channel it will hold on, and the southerly wind makes comparatively smooth water, but with west winds, or from west to north-north-east there is no chance for a vessel to hold on.

2753. The Thames is very much more favourably situated with reference to anchorage than the Mersey, is it not?—In the Thames there is anchorage all the way up from the Downs; there is anchorage before you get into the Thames at all.

2754. As regards the shifting of banks, is not the Thames an easier river than the Mersey?—The channels of the Thames are, comparatively speaking, permanent; you find the same channels now as those marked on the earlier charts.

2755. Is there a bar at the mouth of the Thames?—There is no bar in the sense of a bar; the least depth anywhere, at low water, is 20 feet in the approach to the Thames.

2756. Therefore, in that respect, the Mersey is a much more difficult river than the Thames?—Yes.

2757. Then, with regard to the strength of the tides, they do not flow so strong in the Thames as they do in the Mersey?—No.

2758. You have said that the spring tide flows in in the Mersey at the rate of seven knots?—Yes.

2759. And that is in the most crowded part of the anchorage of the Mersey?—It is what is shown in the lower part of the chart; it is not the most crowded anchorage; for this reason, that on account of the strength of the tide, ships avoid that part if possible, but it is the narrowest part of the river.

2760. But do not ships anchor in all parts of the river between New Brighton and the point above Egremont?—Yes; coming in at night a ship has very little choice of anchorage in the Mersey; she is almost bound to anchor in the first safe berth that she finds; the risk of running on to look for a better berth would be so great that the wisest thing to do is to anchor as soon as she can find a safe berth.

2761. The greatest number of ships have to anchor before they go into dock, have they not?—By far the larger number.

2762. As regards the Thames, it is not so frequently the practice to anchor ships before docking them?—I do not know the practice of the Thames as regards docking.

2763. If the pilots were only employed in bad weather, in order to maintain the present rate of income, the pilotage fees would have to be increased, would they not?—Of course they would.

2764. Therefore there would be no real relief to the shipowner in the long run?—On the contrary, I think that the shipowner would pay much more heavily than he does at present; the present rates no doubt are settled upon what was considered a fair average. A shipowner may think that in fine weather he pays more than a day's work is worth, but he is charged no more when the weather becomes bad and the risks are very great; he only pays just the same then as in fine weather.

2765. When the Liverpool pilot boats are out in fine weather is it not the practice to keep the lead constantly going for the instruction of apprentices?—It is of course the business of the masters to instruct their apprentices, and I have no doubt they are keeping their lead going; but I have no special supervision in that matter.

2766. Your belief is that that is the practice?—Yes.

2767. These studies of navigation can be best conducted, and only effectually conducted in fine weather; in very bad weather they cannot be continued?—In bad weather sounding is of very little use; when the sea is rising 10 or 12 feet, even if you put down the lead line, it is impossible to take any soundings that would give satisfaction.

2768. Therefore you think if there was any change in the present system of pilotage, boats would not go out so much in fine weather as they do now, and some of the opportunities which the pilots now possess of becoming acquainted with the navigation would be lost?—Yes; a pilot can only be acquainted with the navigation by paying constant attention to it.

2769. I think you said that you had served a good deal in foreign seas?—Yes.

2770. Do you know of any foreign port as difficult and as much frequented as Liverpool in which the pilotage is voluntary?—No, I do not.

2771. You are not acquainted with any service requiring boats of the same power and tonnage as those employed at Liverpool, which is conducted upon a purely voluntary system?—The Liverpool boats have only come to their present position simply from the necessities of the case. A few years since it was not an uncommon thing for a pilot boat to run for shelter, now such a thing is almost unheard of; but if they had been allowed to keep their small boats they could not have kept the sea; it is a matter of necessity that boats should be fit to keep the sea.

2772. Boats of less power and tonnage, and costing less money, would not be able to do the service as well as those now employed?—No.

2773. Can you conceive it possible that pilots acting individually, and without a central authority, can provide themselves with as good boats as they have now at Liverpool?—No, I do not think it would be done unless they were compelled to do it.

2774. Do you think it would be an advantage to the pilotage service of Liverpool if it were done in part by steam pilot boats?—I could hardly say whether in the course of improvements it might or not be better to have steam pilot boats, but that would be more expensive.

2775. And, therefore, if it were an advantage to have steam pilot boats it would be less likely under the voluntary system that they would be provided?—Decidedly, it would be less likely.

2776. And with the view of the possibility of steam pilot boats being introduced you would not like to see the compulsory system done away with?—I should think that the only chance of getting steam pilot boats is to maintain the present system.

2777. Mr. *Charles Turner.*] You heard Captain Judkins' evidence yesterday?—Yes.

Capt. *G. H. Hills*, R.N.

27 April 1870.

2778. Do you agree in the opinion he expressed, that very frequently when it is quite clear overhead there is a haze looming over the river, and the entrance to the port, which prevents the captain of the ship seeing the buoys and the lightships?—I have just stated the cause of the haze, which is more the smoke of the town than anything else; but in the course of my work I am obliged to see the objects on the shore, and I am frequently two or three weeks without getting a good day's work done, simply from the difficulty of seeing objects.

2779. The result of your experience is, that an alteration from the present system to a system of voluntary pilotage would add danger both to life and property, and render life and property more insecure than they are at present?—I believe it would.

2780. Have your Board any interest whatever in that question of pilotage?—I believe not.

2781. The Board is the controlling power?—The Mersey Board have nothing whatever to do with the pilotage, except that in 1858 the powers of the former Pilotage Commissioners were transferred to the Board, without the Board's consent or wish.

2782. And a committee was then directed to be appointed, consisting of a certain number of members of the Board and a certain number of mariners, who were not members of the Board?—The Act provides that the committee shall consist of 12 persons, eight being members of the Board and four being persons selected from their practical knowledge of the navigation and pilotage generally.

2783. And this committee exercises a very strong supervision over everything connected with pilotage?—Yes.

2784. Without having any interest in the pilotage at all?—I believe so entirely.

2785. Mr. *Gourley.*] What is the size of the largest of the Liverpool pilot boats?—The largest of them would be about 60 or 70 tons.

2786. Would they be adapted for any other purpose than that of pilot boats; could they be adapted for fishing boats?—They are not built for cargo; they are built to be weatherly vessels, to hold a good wind, and to keep the sea, in fact.

2787. What position do you think the pilot ought to occupy when engaged by a master in the Liverpool waters, supposing the captain to be competent; should he be employed as a nurse, or should he have full control over the navigation of the ship?—My own opinion is that the master of a ship is the master under all circumstances, and that the pilot is under his command as well as anybody else.

2788. Do you think that the master of a vessel ought to be acquainted with the dangers of the locality?—No; it would be impossible to expect that, because a master may in the course of a very few years visit a number of different ports; therefore, to expect him to be qualified for every port is most unreasonable; but he should be a man of sufficient experience to know by what the pilot is doing whether he is likely to be doing right or not. You may consider it in this way, that a man going abroad gets a pilot on board who cannot speak a word of his language, and the master must simply use his own intelligence to understand the pilot's directions.

2789. Should not the pilot have a certain amount of responsibility in such cases?—The pilot has a certain amount of responsibility, inasmuch as he is obliged to advise the shipmaster correctly, according to his judgment, and in some instances, his responsibility is definitely fixed by a sum of money by a bond, or something of that sort; it is not the case in Liverpool.

2790. Are all vessels in the habit of carrying pilots going into Liverpool?—No; I think I may state in round numbers that the vessels passing through the channels in and out of Liverpool, are about 48,000 a year, and the number taking pilots is something close upon 15,000.

2791. Are the 33,000 which navigate the Mersey without pilots as well navigated as those that carry pilots?—A large number of them are comparatively small vessels; a large number of them are tugs, and the men are constantly in and out of the port; they have the local knowledge which the pilot is supposed to supply.

2792. Do not all vessels going in and out of the Mersey use tugs as auxiliaries to assist them?—By far the larger number do.

2793. I suppose where vessels use tugs, pilots would not be necessary?—I apprehend that a great many shipmasters would conclude so, although, in my view of the case, they ought to have pilots. There is a very great difficulty to my mind in accepting tugs in any sense as pilots, because there have been cases which have at any rate looked very suspicious indeed, where tugs have dropped their vessels for the purpose of making a prize, not of their own vessels, but of other vessels; and there have been cases where hawsers have been parted under very suspicious circumstances indeed.

2794. Those circumstances are very rare, are they not?—They are comparatively rare; but still the loss of one vessel may be 60,000 *l.* or 70,000 *l.*, which is the cost of the whole pilotage service for a year.

2795. Do not the masters of the tugs as a rule, know the waters just as well as the pilots?—No, I do not think they do; in the first place, they are not subject to any special supervision, their plain and simple business is to keep inside the buoys.

2796. Who regulates the navigation of vessels in charge of steam tugs?—The pilot on board the ship.

2797. What is the nearest anchorage to Liverpool?—Penman Roads, just at the entrance to Beaumaris.

2798. Is that the anchorage which is generally used by vessels bound for Liverpool to wait for the tide?—No.

2799. Where do vessels wait to make the harbour?—A vessel to make Liverpool ought to keep at such a distance that she would have just the time to run at the right time of the tide.

2800. What time would it occupy?—It depends upon the wind and weather; if it is a light wind, a vessel under sail would have to run all the tide; if there is much wind, she ought not to come nearer than Orme's Head with the falling tide.

2801. Mr. *Charles Turner.*] Is it the fact that vessels when they come near a bar at a time when they cannot get over it, cruise off and on?—That is their only plan; but no vessel in charge of a pilot would run for the bar in that way, because by running for the bar and waiting to cruise off and on there, he is simply in danger all

all the time; because whilst waiting for the tide to rise, the tide is setting him on to the banks; in fine weather many pilots run up as far as the North-west Light Ship and remain there.

2802. Mr. *Gourley.*] In reality, there is no danger which vessels have to encounter till they come within the neighbourhood of the bar?—The danger is occasioned by the set of the tide on to the bar.

2803. There is no danger otherwise than that which an ordinary captain of a ship could guard against without the assistance of a pilot?—I think it would be anything but an ordinary captain of a ship that would guard against the danger.

2804. The captain of a ship must look to the safety of his ship, and he would be quite as capable of taking charge of his ship waiting for the tide without a pilot as with one; is not that so?—I have seen some strange cases happen at Liverpool. Seven or eight years ago, there was a case of a vessel running up to the bar, and somehow or other she had the temerity to pass the pilot boats, and run without a pilot, and it never occurred to the master until they were close on the bar that the ship was in danger; she ran up with stunsails set, and she hauled her wind at the last moment, and her top-gallant mast went over the side as she hauled her wind.

2805. In that instance, the captain ran into danger?—Yes; and if you take the pilots off their stations many ships will have no choice, but to do the same thing.

2806. In the event of compulsory pilotage being abolished, is it your opinion that you will have almost as large a supply of pilots as you have now?—I suppose there will always be men on the look out for what they can get; but I apprehend it will be quite out of the question to maintain a system regulated in anything like the same degree as the present system is regulated.

2807. *Chairman.*] You stated that you viewed this Bill with apprehension?—I do.

2808. I presume that is on the ground that the employment of pilots will fall off, and that, therefore, the number will be reduced?—If the Bill passes, I consider we lose our system of stations for the boats at once.

2809. That is on the ground that the employment of pilots will fall off, and that there will not be the same employment for them?—The employment will be in different hands altogether.

2810. Do you think that the same number of pilots will be required?—It is not impossible that eventually there might be more pilots, because there would be more speculation.

2811. I will assume, for a moment, that the Bill passes in its present shape, and that there is a licensed corps of pilots, and therefore a limited number; you understand by the Bill, it is proposed that a limited number shall be maintained, and that the pilotage should not be thrown open to all the world; with a limited number of pilots, do you think their employment would necessarily fall of?—Yes.

2812. That is, I presume, on the ground that a great number of vessels will not take pilots?—Decidedly so.

2813. You told us that at Queenstown the pilotage was so easy that it is quite suprising there should be any pilots at all?—Yes.

2814. And yet at Queenstown there is a competent supply of pilots?—Yes.

2815. And these pilots obtain full employment?—The pilots at Queenstown do not obtain full employment as pilots, inasmuch as they are engaged in many other employments besides pilotage.

2816. Are you certain of that fact?—Yes.

2817. Is it not the fact that at Queenstown there is a large number of pilots solely maintained by pilotage?—No, only a few.

2818. Do you know what the whole number of pilots is?—No.

2819. Should you be surprised to hear that there were as many as 90 pilots at Queenstown?—It is not surprising, because they are fishers or hovellers.

2820. Are you certain about that fact?—Since I was engaged on the coast of Ireland I have not been to Queenstown except as a passenger in a steamer.

2821. Are you aware that there is rather a considerable corps of pilots at Queenstown?—Yes, but they are under no obligation not to be employed in other employments; the boats they go about in are what are called hoveller's boats.

2822. Are you aware that there is a considerable number of pilots in Queenstown making as large incomes as the pilots in Liverpool?—I have not inquired into that.

2823. If you were informed that that is the fact, should not you alter your opinion as to the employment of pilots at Liverpool?—No; I do not think I should, because the two places do not agree at all, and the difference between the physical conditions of the two places make a material difference in the services which the pilots have to render.

2824. But supposing it was the fact that at Queenstown, where the pilotage is so easy that you are surprised that there should be any pilots at all, and where the captains of the Queen's vessels are directed not to take pilots at all, you find a competent corp of pilots with full employment; does not that bear in your mind some relation to the question of the future employment of the Liverpool pilots?—Not in the least, unless you could show that Liverpool resembles Queenstown.

2825. The difficulties of the Liverpool navigation are very much greater than those of Queenstown, are they not?—I do not see that it is possible to compare the two cases at all.

2826. Do you think it is more probable that the employment of pilots will fall off at Liverpool, on account of the difficulty of its navigation?—No; I apprehend this, that if we attempt to maintain anything like the proposed system, we shall simply lead the men into inducements to evade our service, and that our pilotage service will deteriorate; and that in consideration of the number of steam-tugs at their disposal, many masters will be disposed to take our ships out merely for the sake of a little *éclât* with their owners.

2827. Do you think the pilots will be induced to break the rules laid down for them?—We shall to some extent lose our hold upon them.

2828. They will sail their vessels elsewhere?—No. Take it in this way: the Liverpool pilots, even though their boats are bound to keep the sea, if they choose, have now many sufficient reasons to run for the port on many occasions when it would be very difficult for any pilotage authority

Capt. *G. H. Hills*, R.N.

27 April 1870.

rity to say that they were wrong in doing so. Merely leading a ship into port might be the excuse for the pilot himself running into port. But at the present time the service is so regulated that if a boat runs in it obliges another boat to go out; and the men are so bound together that if one wrong another in that way, he gets such a name amongst them that he could not maintain his position and get his living.

2829. Does not it all turn upon this, whether there is employment for pilots or not; if there is any employment for pilots, will there be any greater difficulty in maintaining the regulations than there is now?—There will be a greater difficulty with the pilots.

2830. Does not it all turn upon the amount of employment that there is for the pilots?—No.

2831. Will there be any greater difficulty of maintaining the present regulations after the change than now, if there is sufficient employment for the pilots?—If you could convince the men at once, perhaps there would not be.

2832. I do not talk about convincing the men; I talk of your own opinion as to whether you think there will be sufficient employment for the pilots?—I have no doubt that the employment will be diminished.

2833. You say that, notwithstanding the fact that at Queenstown, where the pilotage is so very easy, there is a large employment of pilots?—I do not see that the Queenstown question has any relation to the Liverpool question at all.

2834. Have you formed any opinion as to the amount of reduction there would be in the employment of pilots?—No; I do not see that I could form an opinion.

2835. Do you know anything of the pilotage of the North Channel of the Thames?—I have piloted my own ship up and down the Thames.

2836. Are you aware that there is a large staff of pilots there under the voluntary system?—Yes; and they very much wish they were under the compulsory system.

2837. Why?—Because they see that the men taking the South Channel earn more money than they do in the North.

2838. The men in the North Channel earn as much as the pilots in Liverpool, do not they?—I do not know.

2839. Are you aware that they do, on the average, make more than the Liverpool pilots?—I believe that the London rates are higher than the Liverpool rates.

2840. Do not the men employed in the North Channel make a larger income than the Liverpool pilots?—It may be so.

2841. Under the voluntary system?—It is difficult to define where the voluntary system ends and the compulsory system begins; they are really under the compulsory system there, but the exemptions are so large.

2842. Are you aware that the number of vessels that are bound to carry pilots, that come by the North Channel, and that do take pilots, form only five per cent. of all the vessels that come in?—No; I do not know what proportion of the vessels do or do not take pilots.

2843. Supposing you were informed upon that fact, does it show that the employment of pilots in the North Channel is a voluntary one?—It only speaks for that channel itself.

2844. Are you aware that there are 70 pilots there who make a larger income than those on the Liverpool system?—I should say that 70 pilots was a very small number for the North Channel.

2845. Are you aware that there are 70 pilots making a larger income than the Liverpool pilots?—I should imagine that 70 pilots were altogether insufficient for the trade of the Channel.

2846. Why?—You see at Liverpool, instead of limiting the number of pilots to get a good income, the object has been to keep up a sufficient supply of pilots.

2847. Have you any information tending to show that that number is not sufficient for the purpose in the North Channel?—The trade of the North Channel must be very great. I do not know the number of vessels; but the number of vessels that pass down that Channel must be something enormous, and 70 pilots, it seems to me, is a very small number to serve that trade.

2848. They go from the North Channel up to Gravesend, and at Gravesend they change?—It is hardly pilotage above Gravesend.

2849. Are you aware that those 70 pilots are under as strict a regulation as the Liverpool pilots are?—I do not know of any pilots anywhere who have such supervision over them as the Liverpool pilots have.

2850. What is the supervision over the 70 pilots?—I know there are no telegraph stations to report from along that coast.

2851. But the regulations are the same; they are bound to keep their posts in every respect?—I do not know how they are bound to keep their posts; but when you say a man is bound to keep his post, it depends upon who is to see that he keeps his post.

2852. But there is a supervision over the London pilots in the same way as over the Liverpool pilots, is there not?—There is a pilotage authority.

2853. Have you any reason to believe that they perform their duty in the same way as the Liverpool pilots do?—I think it is different, because I heard from Sir Frederick Arrow that in the Upper Thames there were a large number of unlicensed pilots.

2854. We are talking now not of the Upper Thames, but of the lower part of the Thames, and of the sea pilots?—But, seeing the number of pilots is so limited in the upper part of the river, it strikes me that the very same thing is occurring there.

2855. Then you think that it would not be possible, under the voluntary system, to maintain the regulations at all?—Not to maintain any stringent system of regulations.

2856. Supposing it were proved to you that, with pilotage regulations, it is possible to keep men in their places, would your opinion be altered?—I do not know of any system of voluntary pilotage where there is the same system of regulation as at Liverpool.

2857. Not precisely the same system of regulations, but there are places where there is no pilotage and where there are regulations?—The regulations are something of minor effect.

2858. Do you think there is any analogy between the places?—No.

2859. Supposing it were proved that there were places where pilotage is voluntary, and where the regulations are carried out, and where the men are kept to their posts, would that cause any

any change in your opinion?—Of course, what is proved to me must necessarily alter my judgment.

2860. Have you come to the conclusion that there are not any places where pilotage is voluntary where any strict regulations are carried out?—Not where the system of strict regulations as applied to Liverpool is carried out; the same regulations now in force at Liverpool, if applied to other places, would be of very different force.

2861. Is it your opinion that under the voluntary system of pilotage it is impossible to keep the men under a system of strict regulation?—I think so.

2862. Or to keep them to their post?—Or to keep them to their post.

2863. And you have come to the opinion which you have formed under the impression that under the voluntary system of pilotage it is impossible to maintain strict regulations?—You apply the term "voluntary" as a general term; I should say it would be just as unreasonable to put compulsory pilotage upon all ports as it would be to put voluntary pilotage upon all ports.

2864. You stated that very often there are greater difficulties to outward-bound vessels after passing the bar, than to inward-bound vessels?—The risk to them is greater inasmuch as they have only just cleared the bar when the flood-tide is setting them on to the bar again.

2865. Does not the compulsory pilotage cease at the Bell Buoy?—Yes.

2866. Therefore the pilots leave them at the very point where there is the greatest difficulty?—Yes, but there are two pilot boats there on purpose to meet that difficulty.

2867. The pilot that they are bound to take by law leaves them at the point of greatest difficulty?—Yes, the compulsory pilot leaves them.

2868. And beyond there, there are two boats belonging to voluntary pilots?—Between the North-west Light Ship and the Bell Buoy there are two boats stationed.

2869. Ready to send pilots for voluntary employment to vessels that want them?—When you speak of voluntary employment, the pilots taken from them are under the same conditions as any other pilots.

2870. But the vessels are not bound to take them?—Not if they are bound to the westward.

2871. I understand you to say that a compulsory pilot is put off a vessel after it passes the Bell Buoy?—There used to be a penalty for carrying a pilot away. The pilots were carried to the westward and landed at Holyhead, and it being found convenient to do so, the penalty has now been removed, and it has been made optional.

2872. If a compulsory pilot is taken on board at Liverpool he is put off the vessel after passing the Bell Buoy?—Yes.

2873. And there are two boats with pilots stationed, where vessels may take pilots to take them further on if they think fit?—I am not sufficiently acquainted with that part of the regulation to be able to speak upon it.

2874. Mr. *Charles Turner.*] I suppose the pilot is not always put off at the Bell Buoy, he may go on further if he likes, and if the ship wants him?—Yes.

2875. But he is not necessarily put off at the Bell Buoy?—No.

2876. *Chairman.*] The pilotage is compulsory, as far as the Bell Buoy, and beyond that they may take the pilots on by paying something additional?—There is a difference between the inward and outward-bound rates; for the outward rate a man takes the ship to the Bell Buoy, and if he is taken on to the westward they pay the inward rate.

2877. The employment of pilots beyond the Bell Buoy is voluntary?—Yes.

2878. Mr. *Graves.*] Why is it the custom that a pilot should leave after the vessel has got to the North-West Light Ship?—Because if the weather is bright and clear, she is clear of all danger.

2879. So that any outward-bound vessel would not require a pilot?—No; the only condition is, that if she puts back again she requires a pilot.

2880. In coming back the pilot-boats are there to supply pilots?—Yes.

2881. So that, practically, the ship suffers no inconvenience whatever from the pilot leaving it at the accustomed point?—Their object is to be rid of the pilot, as soon as possible, in order that they may not have the delay of looking up the pilot-boat to the westward and putting the pilot on board her.

2882. But by your system there is always a certainty of supplying a vessel with a pilot inside if she wants one?—Yes.

2883. *Chairman.*] Do you find that a considerable number of vessels take their pilots beyond the compulsory district?—I believe some do.

2884. I believe a rule has recently been passed in order to enable them to do it?—Yes.

2885. You stated that you furnished the pilots, from time to time, with information as to the shifting of sand-banks?—Yes.

2886. Do you publish that information?—We publish a new chart every year.

2887. But you do not publish any changes in the papers?—Unless there is something very special. When we make any considerable change involving absolute change in the arrangement of buoys, we always apply to Admiral Evans, the Acting Conservator of the Mersey, and, on his approval, to the Trinity House, before carrying out the changes; but if it is a question of shifting a buoy north, south, east, or west, to avoid any immediate danger, that I do without publishing it, Admiral Evans having authorised me to make any alterations which are urgently necessary, reporting my proceedings to him.

2888. Any considerable shifting of buoys you publish in the papers?—Yes.

2889. But you do not publish any changes in the sandbanks or otherwise?—No, unless there is some actual danger in the matter.

2890. If there is a wreck, do you publish that?—Yes.

2891. Then, I understand from you, in your opinion, that the navigation of the Mersey, from the Bell Buoy to Liverpool, is more dangerous and difficult even than that of the Thames?—For its length it is.

2892. But taking the length of the navigation from Dungeness up to London, is it not a more difficult navigation on the whole?—There is no difficulty in the navigation until you leave the Downs.

2893. Taking the voyage of a vessel coming from Dungeness, up to London is it not a more

Capt. *G. H. Hills*, R.N.

27 April 1870.

difficult navigation than Point Linas to Liverpool?—No, because she has good halting-places and anchorages on the road.

2894. Is it not a very difficult thing to know where to anchor?—A vessel, after rounding the North Foreland, may anchor anywhere between there and the inner end of the Prince's Channel. Take the case of the Great Eastern, drawing 26 or 27 feet of water, if it were such bad weather that she could not anchor outside, she might anchor anywhere between the North Foreland and the inner end of the Prince's Channel

2895. We have been informed by Sir Frederick Arrow that it is difficult to determine where to anchor up the Thames, and that most sailing vessels have to anchor at a particular point?—Most sailing vessels depend on the tide, but they wait for tide where it is most convenient. A ship comes up the channel before a north-west gale; she rounds the North Foreland, and she is in smooth water immediately. What has been bringing a heavy sea with her before now brings her into smooth water.

2896. Unless there is a change of wind the vessel has to anchor somewhere?—In all probability.

2897. You say that a vessel coming to Liverpool, if there is no change of wind, has not to anchor?—Usually not; she has nowhere where she could anchor.

2898. Mr. *Brassey.*] You would never see so heavy a sea above Margate as you stated occurs in the Mersey from time to time?—A north-east wind will bring in a very heavy sea.

2899. Take Whitstable?—I should say the difficulties of the Thames navigation ended at the Nore.

2900. *Chairman.*] But eastward of that they must be exposed to very heavy seas?—Yes; with regard to the English ports I should place the Thames next after Liverpool.

2901. But you think that Liverpool is an exceptional case?—Liverpool has the great disadvantage that you have no anchorage at which you can wait.

2902. Does not the great difficulty of the navigation of Liverpool tend to show that the employment of pilots will be greater there than elsewhere if the pilotage is voluntary?—No, I do not think it does; I think, as Captain Judkins said, there are so many temptations to economise that a large number of ships will be tempted to do so, by not employing a pilot.

2903. Did you hear what Mr. Squarey said about the conditions of the policy of insurance?—Yes.

2904. Does not that tend to show that vessels that are insured will in most cases carry pilots?—There are many vessels now that take pilots that do not insure.

2905. Is it not your opinion that the great majority of vessels going from Liverpool are insured?—No; I think a great many vessels go that are not insured; many coasting vessels you cannot insure.

2906. I mean the foreign-going vessels; should not you say that a great majority of them were insured?—I am no authority on questions of insurance; but I should imagine that foreign-going ships were, for the most part, insured.

2907. And, for the most part, they would take pilots?—I should suppose so.

2908. Mr. *Gourley.*] Do you know the nature of the sands which form the banks of the Queen's and the Princess's Channels, as to whether they are permanent or moveable?—They are always permanent.

2909. And they shift in a similar manner to what the sandbanks do in the neighbourhood of the Mersey?—The channels of the Thames are, practically speaking, permanent channels.

2910. But they do shift at times, do not they?—In every tidal river there is some sort of change going on, but they have nothing there like continuous surveying; I speak without the book, but my impression is that the last survey of the Thames made by the Admiralty was in 1862, that is now eight years since, and if you compare it with former charts you find that the changes are very small.

2911. What is the nature of the sands, are they quicksands or hard sands?—All quicksands are hard when they are dry at low water; I have made no special examination of the sands.

2912. Quicksands are more dangerous than the hard sands or the moveable sands, are they not?—I do not understand what you mean by quicksands; but taking the case of the Pluckington Bank, which was mentioned, a vessel grounding there is in a most dangerous condition; the sand is so quick, that it will wash away under her lee-side. Within my knowledge of Liverpool, two vessels have rolled over and broken their masts off after grounding on that bank.

2913. In your opinion all danger of the navigation of outward-bound vessels ceases after passing Bell Buoy?—A vessel outward bound with a fair wind has then left the Liverpool dangers behind her.

2914. She takes the assistance of a steam tug, does not she, with a foul wind?—With a foul wind she would do so going to the westward.

2915. *Chairman.*] Are you not aware that there is as close an examination of the sandbanks in the Thames by the Trinity House, as there is by the Mersey Board?—I am not aware of that; they have no surveying officers specially employed for the work that I know of; their own returns will show what their officers are. They are engaged twice in the year in shifting their buoys, that is to say, for examining the chains and painting them, and no doubt when they shift their buoys they do what we do on such occasions; if they find a buoy in more or less water than it was when last shifted, they probably make some examination on the spot, and see whether it ought to be shifted further in; but they have no such thing as a staff of surveying officers.

2916. In your opinion there is no periodical examination for the purpose of seeing whether the sands are shifting?—Not in the sense in which such examinations are made in Liverpool. The Admiralty surveyors from time to time are called in, and they have surveyed the Thames entrance.

2917. Mr. *Gourley.*] Then, in every change of sands the buoys are also changed?—Not in every change, it depends upon the degree of the change; from watching them I have some expectation of what is coming about, and if I see that a certain sandbank has been growing for 12 months past, when I shift the buoy I will put it so far out that it shall serve for a few months to come.

2918. How often have you to change the buoys?—

buoys?—Some buoys are changed much oftener than others.

2919. Have you to change them once every twelvemonth?—They are changed once in twelve months, whether the shifting of the banks requires it or not; that is simply with reference to maintaining them properly and having them painted and cleaned; but as a matter of fact our 68 buoys involve something like from 110 to 120 changes in the course of the year.

2920. Do you think the shifting of the banks involves no danger whatever, because you always change the buoys?—You are assuming now that a vessel can see every buoy and know exactly how the bank lies by that buoy; but a very large part of the navigation is done at night when the buoys are not seen; we do the best we can with the buoys to mark the danger, but there are times when not a single buoy is seen.

2921. You have the lights and you have the lead; the banks do not shift between night and morning?—The lead will often be of very little service; a buoy is shown close to the edge of a bank where there is 44 feet of water, and within half a vessel's length the bank is dry.

2922. How long has that buoy been there?—Since November.

2923. And the sands have not changed since?—The sands are still coming up to the northward.

2924. Sir *Charles Wingfield.*] Do you know anything of the Thames above Gravesend?—I know very little of the Thames above Gravesend? I have only been up and down the river occasionally.

2925. The pilotage of that part of the river cannot be compared with the pilotage of the Mersey or with sea pilotage at all, can it?—I should say it is a totally different thing from sea pilotage.

2926. Would you think that a man who had never navigated a ship would be quite competent to pilot a ship from Gravesend to London?—A man should know how to handle a ship if he has to take charge of it as a pilot.

2927. Could not he acquire that knowledge in working vessels between Gravesend and London; it is not necessary for him to have been to sea, is it?—He could acquire some knowledge of working vessels in that way, but any man having respect for his ship would look with great suspicion upon a man who had never worked a square-rigged ship, because even though the captain stands at hand to warn the pilot if he thinks that he is going to do a dangerous thing, yet the pilot should know whether an ordinary ship would tack within such a space or whether there would be room for her to wear in such a space, and so on.

2928. Are you aware it is the case that about half the vessels that come to London are piloted between Gravesend and London by men who have not been to sea at all?—I gathered from the questions put to Sir Frederick Arrow that that was so.

2929. *Chairman.*] Is there any body of men in Liverpool who supplement the services of licensed pilots?—No, none at all.

2930. You never hear of hovellers or other people piloting vessels?—No.

2931. Do the coasters never employ such people?—I do not know; the coasters are supposed to pilot themselves, and being exempt, there is no inquiry made as to who brings them in or out.

2932. You never heard of the employment of any such people?—No; Liverpool is so very unfavourable for small boats, there are men called "Spec boatmen," who go long distances in fine weather; but their object is to get hold of ships to dock them; they are licensed boatmen, and there are certain regulated charges for boats assisting to dock ships by running their lines and ropes to the piers.

2933. They do not act as pilots?—No.

2934. You never heard of such people?—No.

2935. All along the coast at Point Linas and other places, are there any competent persons in case the supply of pilots is not sufficient?—No; I know very little of the pilot service of the other ports on that coast; the Dee pilots go only just down to Helbre Island at the entrance of the Dee.

2936. Supposing that a vessel coming to Point Linas should find that there is not a pilot ready for her, are there persons along the coast who would undertake to pilot her?—No.

2937. There is no such class of people?—No; the coast about Point Linas will not admit of anything of the sort; it is a steep, rocky coast, and there is no shelter for boats or small vessels.

2938. Are there any fishing boats there?—There are no fishing boats there.

2939. Mr. *Cave.*] Are those pilots that go out to Cape Clear voluntary pilots, and are they the same pilots that hold licenses in Liverpool?—No, they are not licensed at all; I only know of them by hearsay, but I believe a few years ago there were about five or six men that employed a small boat to go down the Irish Channel, and they called themselves Channel pilots; I almost doubt whether they exist now; they relied principally upon American ships; few American ships come to Liverpool now.

2940. When I was in Liverpool two years ago, it was said that the number of those who went out to Cape Clear to catch vessels was increasing; are you aware of that?—I have not seen their boat for two years past.

2941. They are not in such numbers as to excite attention?—No; I believe there were five men originally.

2942. Are the licensed pilots in the habit of going beyond their pilotage or not?—They are not allowed to go off their stations.

2943. *Chairman.*] All these men that you speak of hail from Liverpool, do not they?—Yes.

2944. Are they taken aboard in addition to the compulsory pilots?—The ships always used to take these men in the Irish Channel.

2945. Do they put them off again when they took a compulsory pilot?—No; I believe they would bring them on to Liverpool.

2946. Did the same men get employment from Liverpool in outward-bound vessels?—No.

2947. It was only inward-bound vessels that they were employed by?—I do not know that I am right there; I believe occasionally American ships did take them from Liverpool.

2948. Mr. *Cave.*] Were those the ships that were subject to compulsory pilotage?—Yes.

2949. How did they manage to have both on board at once?—They had one man there because they chose to take him, and they had the

Capt. *G. H. Hills*, R.N.

27 April 1870.

the other man because they were obliged to take him.

2950. Is there any instance of a compulsory pilot turning the other man over the side?—There was never any question between them; it was found that some American captains came to Liverpool who were very much afraid of the approaches of the Irish Channel and these men set themselves up as Channel pilots to assist them.

2951. *Chairman.*] We were told yesterday by Captain Judkins, that his Company had obtained special leave to take their pilots on to Queenstown; is that done in the case of other companies or not?—Yes, two or three.

2952. That would show that there is a great demand for pilots as far as Queenstown?—That is a strong testimony in favour of fixed stations for Liverpool pilot boats, when you find that shipowners like these are inclined to make another station at Queenstown.

2953. Is it not also some testimony that the voluntary system of the employment of pilots is found so useful that these shipowners, though they are not compelled to take them, actually want to take them as far as Queenstown?—I agree with Captain Judkins that there are some shipowners, right-thinking men, who would not countenance their ships being worked without pilots under any circumstances.

2954. Mr. *Brassey.*] These men are taken on to Queenstown, not to assist the navigation between Holyhead and the Tuskar, but simply to take the vessel into Queenstown?—Simply that the vessel, instead of having to look for a pilot when she comes into the Liverpool district, may know where to find him.

2955. It is the same as the Royal mail steamers on the Brazilian line; they always take a pilot from Southampton and Lisbon, to navigate the Tagus?—Yes.

2956. Mr. *Gourley.*] Do you know the reason why the Peninsula and Oriental Company carry their pilots from one port to another?—I do not know any other reason except that the chance of getting a pilot in the Channel is so precarious that they prefer to take a man to the Tagus, or elsewhere, where they are sure of finding him.

2957. Is it not done to save time on arrival at the port?—It does save time.

2958. Is not that the only object they have in view?—It is the same in Liverpool; it is a very essential point for a steamer to save her tide; when she arrives at Queenstown she knows by her speed what time she will get into the Mersey, and a loss of half an hour at Point Linas may be very serious; the pilot may make the round of half a dozen ships, before the turn for the mail steamer comes, and a loss of half an hour would lose them seven or eight hours in getting into Liverpool.

Friday, 29*th April* 1870.

MEMBERS PRESENT:

Colonel Bourne.	Mr. Malcolm.
Mr. Cave.	Mr. Philip Wykeham Martin.
Mr. Gourley.	Mr. Norwood.
Mr. Graves.	Mr. William Philip Price.
Mr. Grieve.	Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.	Mr. Stevenson.
Sir John Hay.	Mr. Charles Turner.
Mr. Shaw Lefevre.	Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Captain William Ballantine, called in; and Examined.

Capt. *W. Ballantine.*

29 April 1870.

2959. Mr. *Graves.*] I believe you command one of the steam ships belonging to Messrs. Allens' British and Montreal Mail Company's line?—Yes, the "Scandinavian."

2960. Is she called the Commodore's ship?—She is.

2961. Do you know the Mersey well?—Roughly well.

2962. How long have you been conversant with it?—I have been going constantly out of the north of the Mersey for about from 21 to 23 years.

2963. And you know the course of the estuary thoroughly?—Yes.

2964. And you also know the pilot service of Liverpool?—Yes.

2965. What is your opinion with reference to the Liverpool pilotage?—I have always found it most efficient, and I have never heard it complained of by others; speaking for myself I have always found it most efficient.

2966. I believe one of the peculiarities of the pilotage of Liverpool is what is called the station system?—Yes, there are stations; they are generally divided into four stations, but the boats extend from the bar for 40 miles out.

2967. Do you find that the pilots are at these stations at all times?—At all times.

2968. Do you consider that superior to a system of allowing pilots to go out wherever it suits them best to look for vessels?—Certainly.

2969. The boats themselves being as nearly stationary as possible, are they considered of much advantage to the navigation?—They are marks of themselves, if you pick them up.

2970. They are beacons of themselves?—They are beacons of themselves.

2971. Do you find that the pilots are generally men of ability?—Yes, I think the Liverpool pilots are about mediocrous on the average.

2972. Do you meet any better pilots anywhere than at Liverpool?—No.

2973. Do you always employ a pilot yourself in going in and out?—Always.

2974. Would you consider it prudent to go in and out of the port of Liverpool without a pilot?—On the contrary, it would be most imprudent.

2975. Are there not times and seasons, when owing to the superiority of the buoys and beacons it would be safe to go in and out without a pilot?—One might do it and succeed, but you might be caught with thick weather and fail; many difficulties may arise, it would be very unsafe. Coming from sea, how would I know what is in my way; I could not tell.

2976. Would you see any disadvantage in leaving the employment of the pilot to the option of the shipmaster or shipowner?—The navigation of the Mersey is too dangerous to be left to the option of the shipmaster; his skill is not sufficient, and the risk to life is too great.

2977. Does the risk arise from the individual difficulty with reference to the navigation of the vessel, or does it arise from the crowded traffic, and the difficulty occasioned by meeting so many other vessels?—It is from the track, not from the vessel you are on board of; the ground you have to pass over is so dangerous.

2978. You meet so many vessels?—Yes; you have vessels at anchor and vessels under canvas, and vessels going out and going in, and vessels going of themselves; then there are so many obstructions; buoys get removed, and vessels get wrecked and sunk.

2979. Do you in practise find much difficulty with the smaller class of vessels?—The pilots do, and I also do, because as a general rule you cannot depend upon them. A Liverpool pilot when he is meeting another vessel with a Liverpool pilot on board knows how the man will act; when he meets a vessel without a pilot he cannot tell how he is going to act.

2980. Would you carry your opinion so far as to say that all vessels should have pilots going in and out of the Mersey?—I think so, decidedly.

2981. You are aware, I presume, that the optional system exists in several ports of the kingdom?—Yes, I am aware of that.

2982. Would that influence you at all in your view with reference to the Mersey?—No, the Mersey is exceptional.

2983. If it was found to answer well in all these ports, would it influence your view with reference to the Mersey?—No, because the navigation of the Mersey itself is dangerous and exceptional; we have no other ports in the king-

Capt. *W. Ballantine.*

29 April 1870.

dom with such dangers as we have in the estuary of the Mersey; we have no other part in the kingdom with such narrow channels, and such strong tides all combined, as in the Mersey.

2984. If the navigation is so dangerous as you describe it, might not that probably be a reason for all men to take a pilot whether the system is optional or compulsory?—It may be an inducement with prudent men; but men will run great risks sometimes to make or save money.

2985. Is it your opinion that many would avail themselves of the option and not take pilots?—Some might; I cannot say how many.

2986. The greater the number that would avail themselves of the option and not take pilots, the greater would the difficulty of the navigation be increased, is that your opinion?—If there was a number of masters that did not take pilots that would increase the difficulties with those who had pilots.

2987. Why do you consider Liverpool so exceptional?—For various reasons. First, Liverpool is situated up at the head of a bay; there is a sort of a *cul-de-sac;* our most violent gales are the westerly gales, which make the sand-banks of Liverpool a lee-shore; the tides are very strong, and while we get our fair share of fogs for the coast of England, we are liable along the coast of Lancashire to a great deal of weather that we call hazy; it is not so dense as it is in fogs, but it is sufficiently thick to make the place dangerous, and sufficiently clear to make men who are not prudent try to navigate themselves and not to have a pilot on board; we have strong tides; we have narrow channels, and we have an immense traffic. If a vessel comes down without a pilot towards the bar of Liverpool and does not get a pilot, it becomes a ruin to them; the captain cannot get his vessel off again; if there is any wind down from the westward, blowing strong, he is bound to go in; if the wind is so strong that he cannot anchor his ship, she must go in or go ashore and go to pieces.

2988. Do you consider that the length of the vessels increases the risk?—Yes; the longer the vessel the greater the risk must be, because she takes more space to turn; the larger the vessel is the greater is the momentum; she is not so easily stopped if you want to stop her suddenly.

2989. The tendency is to increase the vessel's length, is it not?—It is.

2990. What is the length of the ships building now?—I go out on Thursday with a ship of 327 feet keel; there is one building in Mr. Laird's, 100 feet longer than her, for the National Company. The ship that I go in next Thursday, is deemed almost a small ship, but she is longer than the "Great Britain," which was the monster of her day.

2991. Do you experience much difficulty in steering your course from the obstructions caused by wrecks and buoys?—I had a very narrow escape within these last two years on the bar of Liverpool. There was a large ship of 1,500 or 1,600 tons sunk on the bar, coal laden, and we had not notice of it, though I had my pilot on board from Londonderry; she had only gone on there an hour or two hours before we were there. It was a flood-tide, and but for the promptitude of the pilot, we must have run a-top of her, and if we had, it would have been fearful, for we had a great many people on board, and running before a flood-tide, we would have torn the bottom out of the ship.

2992. But you had a pilot on board?—Yes.

2993. Did he enable you to detect it?—His eye caught the ship quicker than mine did. His value consisted in this, that had I not had a pilot and had been going in myself, the chance is I might have ported my helm, and gone slap ashore on the south side.

2994. Did you not know of that wreck before you left Londonderry, or before you came in?—No; she had only gone on the bar two or three hours before I approached her, and if I had had no pilot. I might have gone clear by chance, or I might have gone on the top of her, because she was right in the way.

2995. Do you believe that if the present system, which is a compulsory one as to payment in Liverpool, was done away with, that an equally efficient service could be maintained upon an optional system?—You mean by a voluntary system.

2996. Yes, leaving it optional with a master to take a pilot or not?—No, they could not have such a good system under the voluntary principle.

2997. Why do you think so?—It is a very rough coast, and we have very rough weather in winter, and I do not think we should get men to stop out on the stations for the mere chance of picking up a ship, or being refused by the captain; they would wait for better weather or daylight before they tried it.

2998. It is proposed to give the authorities the same control over the pilots as they have now?—If you give the authorities the same power over them as they have now, I question very much whether their authority would be quite as much respected.

2999. You mean that a man would consider it one-sided compulsion, and would not possibly submit to it?—Decidedly; you may send a horse to the water, but you cannot make him drink; at present you have the power, because it is their interest; the men have great privileges at present, and those privileges make them value their position.

3000. There is a double sense of duty now under the compulsory system?—Yes, and also a double sense of interest, which is a great matter.

3001. Would they not have the same interest if they were allowed emulation and rivalry?—No; and even emulation and rivalry may be carried too far; we tried it in the St. Lawrence and failed.

3002. Will you explain that to the Committee?—Our system of pilotage has always been compulsory in the St. Lawrence as far back as I can remember; but while compulsory, there was no arrangement as to stations; each man had his own boat, and could pick up ships where he thought proper; the consequence was that we very frequently in the Gulf had pilots coming and speaking to us 400 or 500 miles below Quebec, when a man was of no use to us, and when we got up to the pilotage limit proper, where the pilots were required, the chances were that we could not get pilots. I think it is a much better system in the Mersey, where I can go to a certain point and generally get my pilot.

3003. Does that system still continue in the St. Lawrence?—No, they had to abandon it.

3004. When did they abandon it?—It must be some six or eight years ago, but I think (I quote from memory) they got incorporated as a body,

body, and now they are under a similar system to what we are under in Liverpool.

3005. They have their stations?—They have their stations.

3006. Do you consider that an improvement on the old system?—It is an improvement for getting a pilot.

3007. Have you any apprehension at all that if the pilotage was voluntary, and a captain could take a man or not, that a pilot would consult his own safety more under that system than he does now?—Yes.

3008. And you think that on a very bad night probably he would not be found on his station so certainly as he is now?—No, certainly not. I know I would not be there if I was a pilot; it is human nature.

3009. There is a moral responsibility independently of the control exercised by the pilotage authority, in consequence of the compulsion?—Yes.

3010. You, as a shipmaster, are dependent upon those men to be there to relieve you in your difficulties of navigation, and you regard it as a moral responsibility placed upon those men?—I do.

3011. A double obligation; the man to be there, and you to take him?—Yes; the organisation is such that the men are there; the motives that influence them I do not know so much about, but they are there.

3012. Now, I will ask you a few questions as to the duties of pilots on board your ship?—To take my ship in safely.

3013. Do you give up unlimited charge to him when he comes on board your ship?—Not unlimited, but I give him the command of the ship within certain points or limits.

3014. Do you give him command of the ship as to its direction?—As to the way he wants the ship steered.

3015. But you retain in your own hands the complete management of your ship?—I retain it to this extent, that if I saw the pilot doing a thing which I felt sure would lead my ship into extreme danger I would remonstrate in the first place, and take my own way in the last place, if I was sure I was right; but I would hesitate before taking these strong measures. The pilot, being primarily responsible, has a right to command the ship to a certain extent; he is pilot and he is commander, he is not captain.

3016. But all the acts to be done on board your ship are done through your own order?—The pilot gives the orders and they are carried out according to the pilot's wishes as long as I do not disapprove of them.

3017. Do not you consider a master is better acquainted with the capabilities and peculiarities of his ship than any pilot can be?—He ought to be, and I believe generally is; but in point of fact, the master has the directing of his ship.

3018. And the pilot is his adviser?—That is the relative position of the parties.

3019. It has been stated here with reference to the Mersey, that if the weather was bad, or thick, or unsuitable for entering the port under ordinary circumstances, a vessel could stand off; is that your experience as a master?—If there are strong westerly winds with a sailing ship, it is an impossibility.

3020. Will you state your reason for that belief to the Committee?—The reason is this; the westerly wind is putting the ship down on these banks, which is a lee shore; she may drag off a little should she chance to have the ebb tide, but whenever the flood comes, away down she goes again. With the short chopping sea that comes down there with westerly winds, vessels cannot beat off if it is blowing hard; steam ships of course can.

3021. Are you aware what the average income of the pilots of Liverpool is?—By hearsay, I believe it to be about 200 *l.* a year.

3022. Do you consider that too much for men of that class?—No; I think, as a general rule, the higher you pay the men, the better standard of men you will get.

3023. Have you consulted many of the captains upon this question of pilotage?—Yes.

3024. What is the general feeling of the masters upon this question?—It is very simple; they think it is better to leave well alone.

3025. That is the general feeling amongst the ship masters in the port of Liverpool?—Yes; if you polled them, nine out of ten would give an answer similar to that.

3026. Sir *Selwin-Ibbetson.*] You stated that you have known of the voluntary system being established at certain ports; have you ever traded between those ports where the voluntary system of pilotage was in existence; the Bristol Channel, for instance?—No, I am not acquainted with the Bristol Channel; with regard to the port of Ireland that I go to, I do not know whether it is voluntary or involuntary; I always take a pilot.

3027. You are not personally acquainted with the system under voluntary working?—No.

3028. Mr. *Malcolm.*] How often do you make your voyages?—We are away on a voyage about five weeks, and we have one week at home; on the average, I make eight voyages a year.

3029. What is the distance of time between your voyages; you say you are away about five weeks?—Yes.

3030. And you sometimes find that great changes have taken place on the bar, and in the passage generally during your absence?—Yes, some of the channels have changed very much in my recollection.

3031. And accidents to ships such as you have quoted are liable to take place?—Vessels do get sunk in a fair-way always.

3032. Mr. *John Stewart Hardy.*] You say that the pilot gives the orders when he is in charge and not yourself; do you mean that in such cases as shortening sail or stopping the ship, that order would be given by the pilot, or that you would give it at his request?—The chances are if it was a question of changing sail he would say, "Take in so-and-so," and I would pass the order.

3033. You would allow him to give it if he thought proper?—Yes; if he sang out, "Clew up that top-sail," I would let it be done, and if it was not smartly acted upon my voice would come out to have it done smartly.

3034. You would not leave the ship entirely in the charge of the pilot?—No, if I have to go I leave a representative, either the chief or the second officer.

3035. *Chairman.*] Does the Allen line employ what they call a "choice" pilot?—Yes, we have two.

3036. Which are exclusively employed by your line?—Yes.

Captain *W. Ballantine.*

29 April 1870.

3037. You do not wait for a pilot at the stations?—No.

3038. You have that privilege from the pilotage authority of having a choice pilot?—We got the privilege from them to have two pilots.

3039. What do the company pay to the two pilots?—They pay the full pilotage and they pay their board in Londonderry, and I am also under the impression that when they run clear for a certain time, either six months or a year, there is a certain bonus given by way of encouragement.

3040. On the whole they make up to these men the average earnings with other men?—Yes.

3041. And perhaps something more?—I think more.

3042. I suppose it is a very good thing for the pilots?—Yes.

3043. Will you state the reason for your company adopting that plan?—I think the principal reason was that the first year or two of the ships running, when the steamers came on towards Liverpool, if it was night time, and the weather hazy there might be a difficulty in getting a pilot; not but what the pilots were there about their proper point, but the captain would not know exactly where he was to within a mile, and he might lose his tide, which involved him stopping out the whole night with many passengers and Her Majesty's mails on board.

3044. Then, in fact, the company have not been altogether content to trust to pilots at their stations?—If the captain could not see he could not pick him up.

3045. Do the company consider it a valuable privilege to be able to take the pilots absolutely into their employment?—I do not know the value they put upon it, but it was their choice.

3046. Do not they value the privilege of being able to choose out of a number of pilots men whom they can rely upon as efficient for their purpose?—I cannot answer that question.

3047. You have never heard anything stated on that point?—No, I have not; my impression is this, that we captains used to go on grumbling that we had lost a night if the weather was thick.

3048. Should you be surprised to hear that one of the reasons was, that they liked to choose their men out of a number instead of having the men thrust upon them?—It would not surprise me.

3049. You think it is not unlikely to be one of the reasons?—It is not impossible.

3050. Do not you think it is very probable that that was one of the reasons?—I do not know; I cannot say as to that; I think it is quite possible.

3051. You take your pilot on to Londonderry and leave him there?—Yes.

3052. Do not you think that other vessels besides the great steamship lines would like the privilege?—They may have it if they like to pay for it, I suppose.

3053. Do you think that the pilotage authorities will give it to others besides the great lines?—I cannot say.

3054. Do you consider the permanency of the stations is of very great importance; if it is important to you why is it not important to the rest of the trade?—It is of importance to us especially, because we have to call at Ireland. It would not be worth our while to call at Ireland to pick up a pilot for Liverpool; but we go to receive mails and passengers.

3055. I presume a great number of vessels from foreign ports on their way to Liverpool stop at Queenstown for orders?—Yes.

3056. Would it not be a great convenience to them to take a pilot on board at Queenstown for Liverpool?—It would depend entirely upon the masters. The chances are, some masters would not have them at all, because they would have to keep them for a few days.

3057. Is it not your opinion that great numbers of vessels would take pilots at Queenstown if they could?—Some would and some would not; but I cannot give an opinion upon the number that would take them or would not take them.

3058. Mr. *Hardy.*] In the case of a casual vessel taking a pilot in that way, would not it increase the expense of having a pilot on board for some days?—It might.

3059. *Chairman.*] I think you stated that you had had no experience of ports where the pilotage is voluntary?—Not much; these last 23 years I have been constantly in the St. Lawrence trade, and it is compulsory for Liverpool and compulsory there.

3060. You have had no experience of the Bristol Channel or the northern channel of the Thames, where it is voluntary?—No.

3061. Are you able to state to the Committee whether any difficulty has been found in coming on to the stations there?—I am not aware of any difficulty.

3062. Are you able or not to state whether the dangers of the Bristol Channel are at all comparable to those of the Mersey?—I am not aware.

3063. You expressed your opinion that Liverpool was altogether an exceptional case?—Yes.

3064. What do you compare it with?—Any other part, as far as I know, of the Bristol Channel. Looking at the form of the land, you are not likely to be jammed up so much as you are upon the banks of the Mersey.

3065. Take the upper part of the Bristol Channel?—Up there it is certainly narrow.

3066. When you are told that the tide rises and falls 50 feet, should not you say that that is an exceedingly difficult channel?—It would be of advantage, if you were ashore, to get off easy with that depth of water, but I cannot give you an opinion upon that.

3067. Are you not sufficiently acquainted with the north channel of the Thames to give an opinion upon it?—No.

3068. You compare Liverpool, I presume, with Londonderry, Bristol, Cork, and all those places?—Where there is an open coast, anywhere that may become a lee-shore.

3069. You also stated that you would always take a pilot if you were not acquainted with the port into which you were going?—Yes.

3070. And you think that every prudent man would do so?—Yes.

3071. But supposing the captain is thoroughly well acquainted with the channel, is there any reason why he should take a pilot?—A captain cannot be so thoroughly well acquainted with any port as a man who is trained to it.

3072. Take, for instance, men constantly going backwards and forwards to the coast of Ireland?—If a man is going constantly out and in, he may know the channel better than a man who goes much more seldom.

3073. Do not you think he must be as well acquainted with the channel as a pilot?—Supposing a man goes out 16 times in a year, and it occupies an hour each time, his experience would amount to about 16 hours in the year, but that would be very little compared with a pilot who has served his apprenticeship there for a long period of years. I am a great believer in the fact, that if you want a skilled man he should be trained to his profession, whatever that profession may be.

3074. Take the case of captains of vessels going to the coast of Ireland, who are constantly going in and out, is there any reason why they should be forced to take a pilot?—I would force all vessels, large and small, to take pilots; they are of great public benefit.

3075. You would compel even small vessels to carry pilots?—I would compel all to do so, to keep up the system.

3076. And to keep up the system even whether the masters were thoroughly acquainted with the pilotage or not?—If they are thoroughly acquainted with it let them prove to the authorities that they are so, and they can get pilotage certificates themselves.

3077. Mr. *Graves.*] With a steamship what would you consider the average time for waiting to pick up a pilot, taking the circle you often have to take?—It is only a question of a few minutes.

3078. I do not mean the mere actual stopping to take the man out of the boat; but what would you think the average stopping time would be, taking into account the detour a vessel has to make to pick up a pilot boat?—If a steamer comes to Liverpool from Holyhead, she comes in the direct line of the pilot boats.

3079. Coming from the North Channel?—Yes; if they chose to go up to Point Linas to take a pilot it is a detour.

3080. Would you think half an hour the average time, day and night?—That will depend more upon whether you go to Point Linas or steer towards the buoy.

3081. Is not the saving of time, with a vessel carrying mails and passengers, one of the principal reasons why you take a pilot on to Londonderry?—That is the principal reason.

3082. Are you aware that the earnings of these pilots so specially employed go into the common fund, and that they receive no greater advantage pecuniarily than any other pilot in the port?—I do not think that is so.

3083. Are you not aware of it?—No; I would imagine if there is a bonus the pilot himself would get it, but I apprehend their earnings fall into the common fund.

3084. *Chairman.*] I suppose you have no doubt that your owners, Messrs. Allen, will continue to employ pilots after this Bill is passed?—I think they will.

3085. In coming here to give evidence do you give their views at all?—No, I give my own views only.

3086. Sir *Selwin-Ibbetson.*] You seem to be uncertain whether a captain would take a pilot by preference, going into Queenstown or not. Would they be influenced by the fact of their having to call at Queenstown or not?—I do not think any ship would go into Queenstown specially for a pilot.

3087. Vessels not having business in Queenstown would naturally prefer the stationary pilot?—Yes.

3088. Mr. *Price.*] I understood you to say that, in your opinion, it would be convenient that every ship should be obliged to take a pilot. If I understand the general tenor of your evidence, the reason for that would be that it would secure your finding a pilot whenever you wanted one?—That is one reason; but the principal reason that I am looking to is the safety of human life. I do not see that either a master or an owner has any right to risk the lives of his men or of his passengers to save a few pounds.

3089. The certainty of finding a pilot on a station where you want him is only one of your reasons?—That is only one reason.

3090. If you found that, without compulsory pilotage, you were always perfectly certain to find a pilot where you wanted him, would that affect the opinion you have expressed that it would be expedient to make pilotage universally compulsory?—I think compulsory pilotage for a dangerous place like Liverpool is a great public benefit, and that it is necessary to maintain it for the preservation of life, and I do not think we do any injustice to shipowners in making them all contribute towards keeping it up. Are we guilty of injustice to shipowners in making them pay for all the lights in the Channel when their ships may not see one-tenth of them going up and down? Upon the same principle, compulsory pilotage is a great public benefit, and the public ought to contribute towards it.

3091. If every ship was obliged to take a pilot it would make it easier to those who do want a pilot, would it not?—Yes.

3092. And you would get a pilot at lower rates on account of the pilotage being compulsory?—I have never heard the rates at Liverpool complained of by anybody; our rates are remarkably low, and the work is efficiently done; we have a magnificent organisation; I should be very sorry to see anything done that would break it up. I am here to-day as a volunteer, simply because I hold those views.

3093. Mr. *Stevenson.*] You propose to abolish all exemptions, and compel all ships, large and small, to take pilots?—I would, in certain proportions.

3094. What do you mean by certain proportions?—The smaller ships might be let off easier with regard to payment.

3095. You would make a difference in the payment, but you would compel every ship to take a pilot?—Yes, I would compel every ship to take a pilot, and if the captain did not take a pilot I would hold him responsible.

3096. Sir *Selwin-Ibbetson.*] You are of opinion that where a vessel with a pilot on board meets a vessel without a pilot, the pilot on board the vessel is not so certain of the working of his vessel as he would be if there was a pilot on board the other vessel?—No.

3097. Mr. *Gourley.*] Could not you find your way into Liverpool by the charts which you have on board ship?—They are of no use; I mean that they are of use when a man is without a pilot, and cannot get a pilot, which event has never happened. I think I could take a vessel out of and into Liverpool, in good weather, by the chart easy enough, and could do it without a chart in good weather; if I could see the buoys, I should only have to keep between the buoys,

Captain *W. Ballantine.*

29 April 1870.

and, if there was no obstacle in my way, I could go in.

3098. You acknowledge that you could navigate your ship in and out of Liverpool by the chart without a pilot?—That would be in some extreme case; it is not a case where a captain can check the actions of a pilot by a chart.

3099. Are not the buoys marked upon the chart?—Yes; but in going in there, looking at the strength of the tide, you have not time to run down and examine your chart.

3100. But you generally have your chart on deck?—In the deck-house, but not upon the bridge.

3101. Do you find that the buoys are generally correctly marked on the chart?—Yes; but the buoys are not always on the places where they are marked; they get displaced, although, if a buoy is moved from its position, the pilots at once report it.

3102. Are they ever replaced by buoys of a different colour, or do they always remain the same?—They do make changes of that kind after having given proper notice by advertisements in the newspapers.

3103. Are the buoys changed more than once in 12 months?—I do not know how often they are changed.

3104. Mr. *Charles Turner.*] Although you can find your way into Liverpool in clear weather, do you find that it is often foggy on the water when it is clear overhead?—Yes; we get more than our share of fogs there.

3105. And although you could find your way into Liverpool without a pilot in clear weather, when you could see the buoys, you would find great difficulty in finding your way in if you could not see the buoys?—I would not do it at all if I could help it.

3106. That frequently happens, does it not?—Very frequently.

3107. Although a large company like yours finds it to their interest to take pilots at Queenstown or Londonderry, according as they may be going north or south, do you think that any isolated vessel coming into Liverpool either north or south would think it worth while to go into Londonderry or Queenstown to get a pilot?—They could not afford it.

3108. And it is the nature of your business that compels you to go into Londonderry or Queenstown as you do?—Yes.

3109. You were asked whether you did not think it a great privilege to be able to make choice of an efficient man among the pilots; as a rule do not you consider all the pilots that go out of Liverpool are efficient men?—In large bodies of men like the Liverpool pilots some may be better than others.

3110. But, as a rule, from the nature of the education they get, do you consider the Liverpool pilots efficient men?—They are efficient. Of course the choice of a pilot is an impossibility with an inward-bound ship, with an outward-bound ship you might have a choice; but I think it would be very bad to adopt that system even with outward-bound ships with a trade like that of the St. Lawrence.

3111. Sir *Charles Wingfield.*] I understood you to say that if you saw a pilot doing a thing which would endanger the vessel you would remonstrate with him, and, as a last resource, you would take the vessel out of his hands; but you would do so with great hesitation, as the pilot is responsible; he is commander?—He is primarily responsible; he is commander, not captain.

3112. Then I understand the danger must be very obvious and inevitable which would, in your opinion, justify you in superseding the pilot?—Yes.

3113. Mr. *Grieve.*] You say you would make it obligatory upon every one to take a pilot?—Do you mean to confine that remark to the port of Liverpool, or to the whole of the United Kingdom?—I speak only of Liverpool. I think it is very likely that the contemplated change in the pilotage laws upon the average might be good; my own opinion is that it would be so. In many of these places, through old custom, there may be pilots where they are not wanted. I have reason to believe that that is the case. In a case of that kind it is good, but why touch a place which is so extremely dangerous as Liverpool? I go out, if all is well, on Thursday afternoon next. I do not know who will be on board, but I guarantee that there will be 900 or 1,000 lives on board, and that is not a thing to play with.

3114. Have you been up the Clyde frequently?—Yes, I was up there the other day.

3115. Do you consider it is necessary to have a pilot there?—No.

3116. *Chairman.*] Are you aware that the owner is not responsible for the acts of a pilot when the vessel is under his charge?—I became aware of that fact only a year or two ago; it was the law for a number of years before I knew of it.

3117. That law exists wherever the employment of a pilot is compulsory?—Such is the law at present I believe.

3118. Do you think it would be just to make the owner responsible for the acts of a pilot, even where he is compelled to employ a pilot?—I am perfectly satisfied with the system as it is at present; it puts less responsibility on me, and I do not want any change in that respect.

3119. Do you think it would be just to owners to make a change, so long as they are compelled to employ pilots?—Sailors are not good abstract reasoners; I am perfectly satisfied with the law as it is, because it throws less responsibility on me. I consider we have too much responsibility. We are responsible if we get our ships on shore, because we endanger human life, and we are responsible if we allow ships to sink, because we do not go down with them, and our certificates are cancelled in consequence.

3120. Do you feel a relief when a pilot comes on board, because you are relieved of responsibility?—Not altogether; the primary responsibility is upon him.

3121. Colonel *Bourne.*] You said you were obliged to call at Londonderry upon your outward passage?—Yes, that is part of our business.

Mr. JOHN TOWNE DANSON, called in; and Examined.

3122. Mr. *Graves.*] I BELIEVE you are Chairman of the Underwriters' Association of Liverpool?—I am.

3123. You are also very extensively engaged in underwriting?—Yes; I am writing one of the largest accounts in the kingdom.

3124. Your attention is constantly drawn, no doubt, to the risks affecting navigation?—It is.

3125. I presume the pilotage of Liverpool often comes under your consideration?—It does; it is of considerable importance to the underwriters of Liverpool.

3126. Are they generally satisfied with the present system?—They are.

3127. Do you consider that the captain of a ship engaged in the foreign trade would be deemed a competent pilot in the Mersey?—So far as I am capable of judging, I should say not.

3128. Why do you give that opinion?—I may refer to the evidence given by the preceding witness, Captain Ballantine; he has stated the grounds very clearly. If I were to restate them, I should say that from all I can learn from practical men, to be an efficient pilot for the Mersey a man must have been trained to it, and that if he is absent so long as one month, or possibly even a shorter time, he cannot be deemed a safe and efficient pilot for those channels. Foreign-going captains are constantly absent for at least a week or two; and if they are absent even two or three days, there is danger, but the danger would be much greater if they were absent two or three weeks or a month. However well they were able to navigate the channels when they went away, they are not fit to do it when they come back; the channels change and become obstructed, and a very slight change may cause great injury.

3129. Would you as an underwriter give preference to a risk that had a pilot on board duly qualified and trained in the Mersey, to a risk commanded by a master who took out his license under the provisions of the Merchant Shipping Act; that is with regard to foreign-going ships?—Most certainly; especially with reference to inward-bound ships.

3130. I suppose the material interests at stake must be very large in connection with the safe navigation of the Mersey?—I have made one or two attempts to arrive at an estimate of the value of property in ships, freights and cargoes, insurable in a year, and I find that great diversity of opinion exists among those with whom I have talked about the matter. But I have fixed upon figures which seem to be deemed under the mark, rather than over, by everyone whom I can deem to be a judge; the value that I have put it at is about four hundred millions sterling in the year.

3131. Mr. *Wykeham Martin.*] Is that in and out of Liverpool?—In and out of Liverpool; the whole of the property passing through the channels in the course of a year.

3132. Mr. *Graves.*] To what extent do you limit your definition of the channel?—The channels described in the chart through the sand banks interposed between the river Mersey proper and the open bay.

3133. Have you formed any estimate of the number of square miles these channels go through?—That can be judged of by the eye; I should say there are 200 square miles of sand banks, measuring from the West Hoyle Bank up to the Jordan Bank.

3134. Have you formed an estimate of the number of lives that pass in and out of the port of Liverpool in a year?—I should put them down at a minimum of 400,000, that is, including emigrants, seamen, passengers on board steamers, engineers, and every one employed.

3135. What is the impression upon your mind, derived from your experience as an extensive underwriter, with regard to the navigation of the Mersey, as compared with other ports not only in England, but throughout the world?—The Committee are aware that my knowledge must be gained entirely from other persons: speaking as an underwriter, I do not think that there is any port in the world involving dangers nearly so great as those involved in the entrance to the Mersey.

3136. Have you formed any opinion as to whether the pilotage in the Mersey should be compulsory or optional?—I have a very decided opinion that it should remain compulsory, as at present.

3137. Are you aware that it was at one time optional?—I believe it was so until the year 1765 or 1766; and having read the preamble of the Act by which the present system was established, I find it there stated that the voluntary system had failed to secure that which was desired by the merchants, shipowners, and underwriters of the port; it had failed in giving security.

3138. Will you give the Committee your reasons for saying that it should be compulsory?—When I say compulsory, I should like to distinguish between the present amount of compulsion and that which I think should exist. At present a man is bound to pay a pilot, but he is not bound to take one. My opinion is, that he should be bound to take one, whoever pays for it; that it is a matter of police. No ship should be allowed to go into or out of the Mersey without a pilot. I think it should be compulsory, because, having considered every method about which I have been able to learn anything, or which has been suggested to me, for making the system less compulsory than it is at present, or making it optional on the part of shipowners to take pilots, I see great disadvantages attending the proposed alteration, as compared with the system we now have.

3139. Are you so satisfied with the principle of the present system that you would view with apprehension any serious change from that principle?—Certainly; I would rather extend the compulsion than in any way diminish it. I would do away with all exemptions. I think all the exemptions have been mistakes; they have introduced anomalies which certainly, to those at a distance, who look at it theoretically, make the present system look very imperfect in some respects.

3140. Do you think that the safety of the port is now ensured with the minimum of cost and with the maximum of effect?—Yes; excepting, only, that I think the compulsion should be a little more strictly applied than it is at present.

3141. In what way would you more strictly apply it?—I should restrict the right now given

Mr. *J. T. Danson.*

29 April 1870.

to a captain to pilot his own ship on passing what I should call a paper examination, not implying any training as a pilot.

3142. Do you call a paper examination the examination provided for by the Merchant Shipping Act?—Any examination that does not imply actual training of a pilot.

3143. Do you consider that anyone is qualified to take a ship in or out of the Mersey who has not served his time or been trained as a pilot?—So far as I can express an opinion, I do not, decidedly.

3144. Would not that be under peculiar circumstances, and not in ordinary weather?—In ordinary weather, so well are these channels buoyed, that I can conceive that a person with very little skill as a pilot could take vessels in or out; but I consider that the staff of pilots should be such as would be sufficient for any emergency; and there are periods, extending sometimes over weeks consecutively, when it would be a mere act of idiotcy for any man to attempt to enter or leave the port except with a pilot.

3145. Do you consider the port of Liverpool to be well buoyed and lighted?—I do: and looking at the result, I think that that opinion is confirmed.

3146. Do you consider that it is superior to most ports?—So far as I can judge; but I know very little of the buoying or the lighting of other ports.

3147. Is that the general opinion of your colleagues?—I have found it to be the opinion of merchants, shipowners, captains of vessels, and underwriters, generally.

3148. Do you consider the details of the present system, on the whole, well arranged?—I think it admits of modifications, which would be changes for the better; but, on the whole, I must admit that I regard it as a very good system, and very well administered.

3149. Are you at all afraid that in an estuary like that of the Mersey, owners would not take pilots as freely under an optional system as they do now under the compulsory system?—I have no doubt that some shipowners would not take pilots, in order to save the pilotage. I cannot state how many, but, perhaps, it might be one-fifth of them who, in favourable weather, would avail themselves of the option not to take pilots.

3150. And, in your opinion, would it thereby make the navigation of the Mersey more difficult?—It would be, in some degree, analogous to an unskilful driver going through a crowded thoroughfare; he would not only risk his own life, but would risk the lives of others.

3151. That is one reason why you think that there should be no exemptions, is it not?—Yes.

3152. Have you any particular reasons for thinking that some would avail themselves of the option?—I have observed in all classes that there are men more or less reckless, ignorant, parsimonious, and regardless of the consequences of their acts with regard to others; there are such persons in every class, and, therefore, among shipowners; and I think those persons would dispense with pilots as much as they could.

3153. Is there any warranty in your policies that the masters should take pilots?—None.

3154. Are you aware of any arrangement of that kind in any other country?—I am not aware of any form of policy that includes that warranty; it might be inserted in special cases.

3155. I suppose if the loss was increased from any inefficient system of pilotage that the premiums would rise in proportion?—Certainly; the underwriters must either get a sufficient premium or go out of the business.

3156. That would press upon the prudent shipowners as well as the imprudent shipowners?—It would, because the danger would be one to which all would become liable; the more valuable vessels and cargoes would be almost invariably in charge of pilots; the vessels of the lowest class, with cargoes of the least value, might be sunk; they would become great obstructions in the channels, and they would be the vessels which would not take pilots.

3157. Would you not be able to protect yourselves to some extent without an increase of premium by warranties in your policies?—I think it not unlikely that an attempt might be made to obtain such a warranty, but I think it unlikely that it would be obtained, partly because competition among the underwriters would prevent the attempt being general, but much more because it would be found not to meet the difficulty: for the danger would attach to those who had pilots, as well as to those who had not. You would not free yourself from the danger implied by the optional system by obtaining such a warranty.

3158. So that you have no great faith yourself that such a safeguard would be introduced?—I should not myself think for one moment of introducing it.

3159. Though property might be protected by insurance, life, I suppose, is not so easy to insure?—With life I have nothing to do. I have no doubt that, looking at the matter incidentally, there would be an increased loss of life under the optional system.

3160. We should be throwing overboard all the securities we are endeavouring to provide for in the legislation connected with merchant shipping?—Yes, which is certainly most important with regard to the great trade of the Mersey.

3161. Do you find that the need for pilot service at Liverpool of the present compulsory character is generally admitted?—I have heard of very few exceptions to the opinion which I hold myself; and the opinion which is generally held by underwriters and shipowners is, that it is better that it should remain as it is than that the optional system should be introduced.

3162. The general opinion is, that the compulsory system is necessary for Liverpool?—Yes.

3163. Is that on the ground that what is for the common benefit of all, should be fairly contributed to by all; is that the principle upon which you go?—I should rather say that there is a great natural obstruction to the carrying on of the enormous traffic of the port, and that that obstruction can be best met by some such method as we now have; that it is at present met with the least practicable cost, and with the greatest efficiency.

3164. Under the optional system I presume it would be your opinion that the prudent men would contribute, and probably in a larger proportion than they do at present to maintain the service, while the imprudent would generally go free?—Assuming it to be necessary, as I do, that some 50,000 *l.* or 60,000 *l.* a year must be spent to maintain an efficient staff of pilots at Liverpool, I think that if it were made optional, the

persons

persons whom I have described would evade their share of the payment, and consequently, if the amount spent is to be made up and the pilotage staff is not to be made ineffective or reduced in numbers and efficiency, the cost must fall more heavily upon those who do employ the pilots, as, in fact, the prudent men would have to pay all.

3165. And therefore the inducement not to take the pilots would be increased?—So far as the cost of the pilots forms part of the inducement to avoid taking them, it would fall with increased force upon the prudent men.

3166. And that consideration would affect any scheme for compensation which was to be levied upon the pilotage rates of the port in future?—I presume you are now referring to some scheme for paying off the vested interests of the pilots; if any tax to meet that cost were levied, the same principle would operate, and of course the same results would ensue.

3167. You would be freeing, in fact, the parties who had incurred that obligation, and taxing the prudent in future; is that your view?—If the taxation by which the pilotage fund is in future to be raised (whether that taxation is to meet current cost or to meet a past obligation) were levied in the way it is proposed, upon those only who chose to take pilots, undoubtedly it would be an additional burden upon the prudent owner, and so far as it formed any motive with him in taking or not taking a pilot, it would tend to induce him to go without a pilot.

3168. You have expressed your opinion that if pilotage were optional, the pilots would be less regularly employed?—They would. It is only in fine weather, in open day-light probably, that many would attempt to do without a pilot. I think it is essential for the keeping of the staff in a state of efficiency, that they should be as constantly employed as possible.

3169. What, in your opinion, would be the effect of such an optional system upon the pilots themselves?—I should think that the pilots would soon begin to distinguish who employed them and who did not. They would prefer, so far as they could do it, to serve those who were their regular customers. The result would be, probably, that they would feel some sense of injustice at the irregularity of the employment, and that they would possibly bring their sense of injustice to bear upon the interest of those who avoided taking pilots, whenever they could do so with any chance of safety. I think a pilot might then be expected not to see a ship which he knew would not take him in fair weather. If the weather were foul, the pilot would prefer taking a ship which belonged to one of his regular customers.

3170. You would regard it, in fact, as a one-sided obligation?—Yes, and I think the pilots would regard it so also; and that it would have a serious effect upon the ultimate efficiency of the system.

3171. Do you think that that one-sided obligation could be long maintained?—No, I think a few years would put an end to it.

3172. What, in your opinion, would be the alternative then?—We must either return to compulsory pilotage, or we must introduce, at a very great cost, a system which would rather resemble salvage than pilotage.

3173. Allowing free bargains?—Free bargains practically, except with outward-bound vessels, would be impossible; free bargains cannot be made under peril.

3174. In the present position of affairs, you regard the pilots of Liverpool as public servants, I presume?—Yes; I regard them as public servants trained for the service of the particular locality, and whose efficiency is dependent upon their being so trained, and that their services are, comparatively, of little value elsewhere.

3175. You stated that the value of the ships' freights and cargoes insured in Liverpool, in the course of the year, amount to the sum of 400,000,000*l.*; what per-centage would the pilotage of Liverpool give as a tax upon that commerce?—If you take 50,000*l.* upon 400,000,000*l.*, the value at risk, you have about 3*d.* per 100*l.*

3176. That would be a small sum, would it not, in proportion to any increase of premium that might be caused by greater insecurity?—What the increase of premium might be it is impossible for me to conjecture, but as I am satisfied that the losses consequent upon the adoption of the optional system would greatly exceed the whole annual cost of the pilotage at present, any premium that would be required to balance it must exceed 3 *d.* per cent.

3177. Is it your opinion, that a large amount of loss of property is avoided by the system of pilotage in Liverpool?—I have no doubt of it.

3178. If it were changed to the optional system do you think that it would have a contrary effect?—Yes; I consider it would lead to a greater loss of life and property.

3179. With regard to the number of pilots, do you consider that it is necessary, in a port like Liverpool, to keep up the number in order to meet the greatest emergencies, or would you fix the number according to the average wants of the port?—The staff cannot in my opinion be efficient unless it be such as to be able to cope with the greatest strain likely to be put upon it during the months of November, December, and January, and, as far as I am able to judge, the present staff is not more than sufficient to meet such an emergency.

3180. With regard to steamers, do you think that they need pilots as much as sailing vessels?—In one sense, no; but regarding the matter as one of police regulation, the regulation of these important roads through the channels, I conceive that it is as necessary that steamers, and especially large steamers, should have pilots, as sailing vessels. I may say that a great number of vessels leaving the port do so in tow of steamers. Probably one-half of the vessels entering are in tow of steamers, and nine-tenths of those going out; but the two classes cannot be regarded as the same with reference to the present question, because the steamers entering have usually been some time absent from the port. The small tug steamers used for taking vessels in and out are in command of men who have generally a great deal of practical knowledge of the channels, and they are generally very fair pilots.

3181. Have you formed any impression at all as to whether the necessity on both sail and steam was so similar as to render unnecessary any reconsideration of the incidents of the tax?—I think that if the question now were whether the cost of pilotage is fairly levied over the property which is rescued from danger by it, there might be good reason for altering the incidence of the tax; but that is a matter to which I have not given particular attention.

3182. Now

Mr. *J. T. Danson.*

29 April 1870.

3182. Now with regard to the question of the immunity of the owner for damage done by a ship when a pilot is on board, have you formed any opinion upon that point?—I have.

3183. Will you state to the Committee what your opinion is with regard to that?—I think the immunity should be entirely withdrawn; it ought never to have been given. Its existence is one of the great difficulties we have had to deal with in putting the pilotage system upon a perfectly satisfactory footing.

3184. Is there not a necessary connection between that immunity and compulsory pilotage?—I do not see any connection whatever, if you regard compulsory pilotage, as I do in reference to the Mersey, as a matter of police, rather than anything else.

3185. You do not think that there is anything in the argument of the non-selection of your own servants?—Not under the circumstances. There are many instances in which we all of us have to accept the services of public officers selected by those who are better judges of their efficiency for the purpose than ourselves; and I do not think that this involves any more injustice than many other instances of the same kind: in fact, I do not see that it involves any.

3186. Would you free the pilot from liability altogether?—I would, except to his masters; that is, to the local authorities.

3187. That is to a limited amount?—That is rather a matter of detail, and I should think it would be well that the local authorities should have the power of fining up to a certain amount a pilot who appeared not to have perfectly done his duty.

3188. According to your general impression of the duties of a master and a pilot, do you consider that the pilot assumes the responsibility of the command of the ship when he comes on board of her?—So far as I may venture to express an opinion, I think the captain's command of the vessel should never for a moment be disturbed, and that he receives the pilot simply as an adviser, as a person skilled in the local navigation of the place, and whose advice he would of course be expected to attend to, because it is supposed to be supplementary to, and in many respects, far superior to his own; but I do not conceive that the pilot should be permitted to indulge the idea that he has the right to command anybody on board the ship; that is especially necessary now with regard to iron ships.

3189. Why do you consider it necessary in regard to iron ships?—One of the most important results of the construction of our ships of iron has been to give an individual character to the steering compass of every iron ship, and the difficulty of adjusting the compass on board an iron ship is such, the result of the best and the most skilful adjustment is such, as to leave the compass liable to variations, of which no man, except the captain or some one who has observed the use of the compass, can be a good judge, or is so far acquainted with it as to enable him to steer the vessel under critical circumstances.

3190. Then you consider that this is an increasing need?—Yes it is. We are yet in the infancy of the art of adjusting compasses so as to make them efficient on board iron ships.

3191. Your idea is that you should so define the duties of the pilot as to make him the adviser of the captain, and that the captain and the owner should be responsible?—Certainly.

3192. Are you aware that the present Bill now before the Committee proposes to remove that immunity?—Yes, and I think it is a perfectly correct course to take.

3193. Are you also aware that the Bill now before the House, called the Merchant Shipping Code, proposes to remove that immunity?—Yes.

3194. But the principle as regards the obligation is different from that?—Yes.

3195. There the obligation is all to pay?—I am aware of that.

3196. Have you formed any impression in your own mind as to what general principle might be laid down in a Bill of this kind, affecting the whole coast of the kingdom, as to the election of a principle suited to each port?—I cannot venture to speak with any degree of confidence except with regard to the Mersey. My own view, if I were to venture to express an opinion, would be that there should be no interference with trade that can be avoided; that is to say, which can be avoided, having regard to those interests which the State alone can efficiently take charge of, and this is why I should describe the Mersey pilotage as a system of police.

3197. You have got at Liverpool a local authority representing completely the commerce of the port?—We have.

3198. And they have only one object in view, that is what best promotes the welfare of the port with regard to the pilotage?—I think that the authorities who are now connected with the pilotage system have acted very efficiently, very honestly, and with a strict regard to the interests of the port.

3199. They have no interest whatever in the pilotage?—None whatever.

3200. Would you not think it a reasonable proposal to leave to a body so constituted, and having such an object in view, the decision of what principle of pilotage was best adapted to that port?—So far as I see any principle in dispute here, I think so, decidedly.

3201. Would it be a good general principle to lay down, that whenever there is a general pilotage authority so constituted as to represent the trade of the port, the election of the system best adapted to its navigation should be left to that authority?—I think as a general principle that it would be safe, but I think it would certainly be so in Liverpool.

3202. Would you prefer some such principle as that, representing the great interest you do, to one stern rule laid down for the whole of the ports of this kingdom?—If I understand the difference between the port of the Mersey and other ports, I should say that one general rule as to whether pilotage should be optional or compulsory could not properly be applied throughout the kingdom. I think that local circumstances should modify the application of any principle whatever; and that, in the case of Liverpool, there are ample grounds for retaining a system which possibly may not be required in any other port of the kingdom.

3203. *Chairman.*] You said that, in your opinion, it would not be possible to lay down any general rule?—I think it is possible in many cases, but I do not consider that it is expedient to do so.

3204. Mr. *Wykeham Martin.*] Two or three witnesses have spoken about reckless owners who save money by not taking pilots; I suppose they would

would be small owners generally?—If what is meant by a small owner is a person owning a small amount of property, it would not always be so; I can conceive some shipowners owning several ships, or having the management of many ships, who might still do that.

3205. If a vessel went without a pilot would not the owner be liable for the full value of his vessel if she came into collision and did any damage?—No doubt, if a collision occurred, and he was in fault, he would be liable, not to the full value, but possibly to a greater value than that, the value being limited to 8 *l.* per ton; but many of the ships I am speaking of would not be worth 8 *l.* a ton.

3206. If a vessel had a pilot and another had not, would not that be *primâ facie* evidence of misconduct on the part of the one who had not a pilot?—I think it would weigh strongly in the decision of the Court.

3207. You say that in that case the competition with the underwriters would be so great that people would not insert that protecting clause that the vessel is to sail with a pilot, and that the competition of underwriters would prevent that clause being inserted?—I think I gave two reasons why such a clause would not be put into the policies; one was, that the competition amongst the underwriters makes them unwilling to impose new limits to their liability; and also I think that when they came to regard the subject with some care they would see, as I see myself clearly, that it would be of no use; that the clause would be of little or no value, if put in.

3208. Surely the pilot would be of value if he was on board?—To speak plainly, it takes only one fool to make a collision; and if I were ever so certain that all the ships that I insured would have pilots on board, I should still feel that the danger of the optional system would not be materially reduced.

3209. Your liability would be reduced, and your chance of coming into collision would be reduced if you had a skilled pilot on board?—The chance of my ship doing damage would probably be diminished, but the chance of damage occurring would not be materially diminished.

3210. Then the compensation would come out of the other ship?—Doing a large business it is not of much consequence to me whether it is my ship or another ship that is damaged on a particular occasion; I shall some day have the converse of the case; if damage occurs the underwriters must pay it, and I must pay my share.

3211. Would not the competition of underwriters soon be very much diminished if so many evils arise as you expect in consequence of this Bill, because so many underwriters would be ruined?—I do not wish to convey to the Committee the idea that a very large increase would take place in the losses positively, but relatively to the present number of losses I think there would be a serious increase.

3212. Mr. *Stevenson.*] I understood you to say that the voluntary system in the port of Liverpool failed to give security, and that therefore in the year 1765 the compulsory system was introduced, but I find from the evidence which Mr. Squarey gave us that previous to the date you mentioned there was no organised system of pilotage at all, that complaints had been made of the negligence and ignorance of persons taking upon themselves to conduct ships into the port, and further that there were no settled prices and no proper regulation of the pilotage of the port; in fact that there was no pilotage at all?—Yes.

3213. So that the benefits you ascribe to the single element of compulsion may really be due to a difference between having an organised system and having no organised system?—I understood that prior to the date referred to the pilotage of Liverpool might be described as a system of free trade without police. The present system is one of free trade, limited only by needful police.

3214. The needfulness of the police is not under our view at present; it is the single question whether it is necessary for that police to be taken advantage of, that the element of compulsion should be introduced, in fact, superinduced on the system?—I conceive that it is necessary. I am quite aware that very little is to be deduced from a comparison of Liverpool in 1766 with Liverpool in 1870. In 1766 the population of Liverpool was about 25,000; the population of the two banks of the Mersey now exceeds half a million. Its trade at that time was the trade of a small port; it is now the trade of the largest port in the world, I should suppose.

3215. You have described to us how very necessary a system of pilotage is at Liverpool, and how well that system is conducted; what I wish you to answer is this: you still think that four-fifths of the vessels now coming to the port would take pilots?—That is a rough guess; the larger number certainly would, the minority would not; but the minority would be large enough to do serious mischief.

3216. For the benefit of the four-fifths, or whatever the majority might be that would take pilots, would there be any difficulty in maintaining in all times the efficiency of the present system of pilotage service, the regulations and all the safeguards attached to it?—Assuming we separate the interests of the prudent from those of the imprudent, I think the optional system would damage the prudent men undoubtedly. The pilotage system might be maintained as efficiently for the prudent men, but they would suffer incidentally from the non-taking of pilots by the imprudent men. I have already adverted to what would be unfavourable in another point of view. I think that less than 50,000 *l.* or 60,000 *l.* a year would not maintain a staff of pilots for the prudent men if the imprudent men were relieved from the tax; that sum must either be deficient or the rate paid by the prudent men must be increased.

3217-18. You wish to provide for every vessel taking pilots, when you only expect four-fifths will take pilots?—There are seasons in the year when no man would be so imprudent as to go in or out of the port of Liverpool without a pilot; the prudent and imprudent would then fall into one class. There would be, I believe, many consecutive weeks in November, December, and January, when every ship would want a pilot; they would so ardently desire them that they would rather pay twice what they do now than do without them.

3219. Are you aware that in some ports the rates are higher in the winter than in the summer?—I have heard of it.

3220. Would not that help to meet your difficulty?—No; I have gathered from practical men,

Mr. *J. T. Danson.*

29 April 1870.

better acquainted with the subject, that the danger is often imminent in summer and often very sudden in its occurrence, and that to maintain a pilotage staff in an efficient state, it must be always there and always equally ready to act, and must be about equal in numbers throughout the year.

3221. Do you think there would be any difficulty in forcing regulations on the pilots to compel them to keep their stations at all times?—I conceive that there would be great difficulty, for this reason: that the disposition of the pilot himself would depend upon the justice or injustice of the arrangements to which he was subjected. I think that the pilots would be induced to give only partial attention to their duty; I think they would learn quickly to know who were their customers, and who evaded paying them when they could do so.

3222. Supposing a vessel made a signal to a pilot, and the pilot paid no attention to it?—It would be rather difficult to prove that a pilot saw the signal. If a pilot wishes not to see a flag, it is very easy for him to do so.

3223. Can you imagine a case in which a pilot would deliberately refuse to go on board a vessel that showed a signal for a pilot?—I can imagine a case in which there would be a tendency to avoid seeing a signal from one ship, and a willingness to see it from another.

3224. Would it not be his interest to go on board any vessel that did show the signal in order to earn the pilotage?—In most cases there are many ships wanting pilots, and if the regulations did not require the pilot to take the first ship that offered, there would be a tendency to selection; I think the tendency to selection in the interest of the pilot would be increased by the knowledge that some men employed him only when in peril, and that others were his regular customers.

3225. Now there is a tendency to selection you say?—The tendency has no material effect. The regulations are so strict and so well observed, and the sense of justice in the pilot's mind is so strong, that I do not think it has any material effect.

3226. You think the pilot would act vindictively?—Not invindictively, but I think he would act under a sense of injustice; and it might occasionally sway him against the interest of particular ships; I think there would be danger of that.

3227. Do I understand you propose to withdraw all immunity from the ship who employs a pilot?—I propose to withdraw all the immunity now given or supposed to be given by the presence of a pilot, while the pilot is on board.

3228. You would make the captain himself as responsible as if he had no pilot on board?—Yes.

3229. Do you think that the shipowners of the port of Liverpool would approve of that proposition of yours?—I think many of the shipowners would object to the withdrawal of that immunity; but I think that they would still prefer compulsory pilotage, though it were withdrawn.

3230. Do you feel confident in giving that as the shipowners' opinion?—I do not speak for the shipowners; I am not representing, them; but I understand from what I have gathered that is the prevailing opinion among them.

3231. Do you look at the cost of pilotage as a sort of moderate insurance, considering the great value of property and life at stake?—No; I regard it in the same light as the employment of police in our streets; as an act of the Government compelling the exercise of a certain amount of skill where it is greatly wanted.

3232. Do I understand you to say that you would do away with all exemption?—Speaking broadly, I should; but there may be cases which, upon consideration, I should not be inclined to apply that rule to. I think that vessels under 100 tons might perhaps be exempted; but I prefer not to speak with great confidence upon the matter, because I have not considered all the exemptions. I think, as a rule, exemptions have been a mistake, and have contributed more than anything else to give that anomalous appearance to a part of our system which seems to justify the present attack upon it. I am prepared to admit that great anomalies have crept into the system of the pilotage of the United Kingdom which seriously demands the attention of the Legislature. I consider the anomalies in our system almost entirely due to the adoption of these exemptions.

3233. Mr. *Price.*] I think I understood you to say that a policy of insurance does not become void by the fact that the master of a vessel fails to take a pilot?—That is a question of law, and I am not here to speak as a lawyer; but I believe the law to be that if it is usual, and especially if it is compulsory, for a pilot to be employed, and a captain does not employ one, the ship may be deemed unseaworthy.

3234. In point of fact, supposing within the limits of the pilotage jurisdiction of Liverpool, which is a compulsory district, a shipmaster failed to take a pilot, and his vessel was lost or stranded, and you had underwritten her, would you or not consider yourself liable to pay the amount of that loss?—If I was not legally liable, I should not consider myself so; but the circumstances would have to be considered before I refused to pay.

3235. But still it must be a very simple question within the knowledge of the underwriters, because it must be a case that frequently occurs; it must be a matter of practice that you do or do not recognise your liability in cases where a ship, within the limit of a pilotage jurisdiction, meets with an accident from not having taken a pilot?—I should say that we are entitled to take the benefit of that exemption; but the circumstances would have to be considered before we declined to pay the loss.

3236. You stated that for two reasons you do not think you could very well enforce a proviso in your policy of insurance which would compel a ship-master to take a pilot?—I do not think that you could well enforce it; and I do not think it would be of much value in Liverpool if you did so.

3237. When you were pressed upon the legal point that it was of no value, you addressed yourself chiefly to collisions; but surely you do not think it would be of no value in the case of wreck or loss, seeing that in your opinion the navigation is not safe without a pilot, whereas it would be safe with a pilot?—The danger that I apprehend from the non-taking of pilots is a danger that would arise from the action of imprudent and foolish persons; that is what I want to see prevented; that danger would come into existence if

if the optional system were established. To require my customers to warrant that their ships should take pilots would be in many cases perfectly unnecessary, because the class of ships with which I have almost entirely to deal are ships that would take pilots. The danger they would incur would not be increased by their acts, but by the acts of the imprudent minority upon whom my policy would have no effect.

3238. That would happen also in the case of an exempted vessel as well as a vessel commanded by an imprudent captain. What you are afraid of is injury to the vessel that you have insured; not by the negligence of its own master, but by the negligence of the master of some other vessel?—Yes.

3239. It would also be true of an exempted vessel?—It would, and therefore it is that I wish to see more strictly limited the right given to owners to put their captains under examination, making paper pilots of them.

3240. Generally, it seems that your view of the question is rather an underwriter's view, and that you think that compulsory pilotage protects you in your business as an underwriter where you could not protect yourself, on account of the excessive competition amongst other gentlemen pursuing the same business; you cannot protect yourself by putting on a differential rate of insurance?—I think it would be impracticable with reference to having or not having a pilot.

3241. If you, as a prudent underwriter, say that you would not insure any vessel that did not come under an engagement with you to take a pilot, supposing you wished to protect yourself by a differential rate, say 5 *l.* 5 *s.* per cent., if the owner would take a pilot, and five and a half guineas if he would not, you think that you would find it impossible to protect yourself in that way by reason of the excessive competition amongst gentlemen in your own line of business?—I gave two reasons: one was that competition would take place, and the other that motives would come into action which would supersede it, and we should all perceive that it was of no use having that clause in the policy.

3242. And therefore, finding it impossible to protect yourself in any way, you desire to be protected by that external compulsion?—As an underwriter simply, I do not desire any such protection; if the risks of entering and leaving the Mersey are increased, my premiums must rise in proportion; but I prefer writing against risks arising from what are termed the acts of God. All intelligent underwriters desire to see the risks arising from folly, imprudence, and ignorance reduced as much as possible. It is not vitally important to underwriters that the risks should be reduced, for the premiums will always balance them with those who are prudent.

3243. Do you consider this a pilot question, or an underwriter's question, or a shipowner's question?—I think it relates to all.

3244. In equal degrees?—In different degrees, according to the interests each may have at stake.

3245. We have heard a good deal of the pilots' view of the case, and some of the shipmasters' view of the case, and we have something now of the underwriters' view of the case; have you reason to believe that the shipowners would generally take the same view of this question that you do?—I think they would with this exception, that the shipowner would desire, if possible, to retain the immunity he now has for certain risks when a pilot is on board; but excepting that, I think an intelligent shipowner and an intelligent underwriter would be nearly at one in their views.

3246. Mr. *Malcolm.*] You have used the expression, several times, "matter of police," with reference to pilotage; I suppose you mean that vessels on board which there are pilots can navigate a crowded water with much greater safety than vessels which have no pilots?—I have no doubt of that.

3247. Do you know the Clyde at all?—I do not; I know the Clyde from having been there, but I have no such knowledge of it as would enable me to speak of its pilotage.

3248. You cannot give me any idea of its traffic?—I know it is very much less than that of Liverpool, but as to the exact relation of one to the other in kind or quality I cannot speak.

3249. Mr. *John Stewart Hardy.*] You say that this is in a great measure in a case between a reckless man and a prudent man; we have been treating this so far as a case of property; is it not the fact that the public have an interest in reckless men being compelled to take a greater care of the lives of their crews and passengers?—I think a very serious interest.

3250. Is it not true that there is a class of shipowners with whom you may be acquainted, who if their ships were fully insured would care very little indeed about the safety of their passengers or crew?—There are such persons; and I have already referred to them as being amongst the imprudent and reckless.

3251. Perhaps even worse than that?—Possibly worse.

3252. Mr. *Grieve.*] From your experience as an underwriter, do you consider the approach to Liverpool more dangerous than the approach to most other ports in the United Kingdom?—I am not aware of any other port in the United Kingdom which is anything like so dangerous.

3253. In taking a risk from Bombay to Liverpool, and on to London, and on to the Clyde, do you make any difference in the premium?—The Clyde would pay a little more, and London and Liverpool are placed on the same footing.

3254. Why would the Clyde pay more?—The distance through our waters is rather greater.

3255. Are you not aware that it is shorter to get to the Clyde from the Atlantic than it is to get to Liverpool?—I am assuming that a vessel in coming from Bombay comes from the Atlantic.

3256. Are you not aware that if she goes to the Clyde, it is a short passage?—It is not altogether the length of the passage which determines our idea of risk; it is rather the experience we derive from examining the results of our previous insurances.

3257. Did you hear Captain Ballantine's evidence?—Yes.

3258. Did you hear him say that he would not take a pilot going into the Clyde?—I did not hear him say so. But, permit me to add, that the Mersey is so well provided for by its pilotage staff, that I consider it by no means a dangerous port to enter as long as the staff is maintained in its present state of efficiency.

3259. I understand you to say that your premium would be greater to the Clyde than to the Mersey?—

Mr. *J. T. Danson.*

29 April 1870.

Mersey?—I do not think the pilotage question would enter into the comparison of the two risks.

3260. I thought you came here to represent your particular business as a large underwriter?—I come for that purpose.

3261. Do you approve generally of free trade principles?—Most certainly.

3262. Then, you would not apply those principles to the pilotage in the Mersey?—I should do so as far as they are applicable; but although free trade may entitle a man to risk his own property, and even his own life, it does not entitle him to risk the property or the lives of other persons

3263. Mr. *Gourley.*] I understood you to say that in all cases you would make the master or owner responsible for the navigation of their ship?—Pardon me; in speaking of the Mersey, I simply proposed to withdraw the immunity now given to an owner through his master for any accident in the nature of collision which shall occur while a pilot is on board, that proposal being based upon the assumption that the pilot, and not the captain, is in command; an assumption which, I think, does not bear examination.

3264. You would abolish the present liability of the pilot, and place it upon the shoulders of the owner; is that what I understand you to say?—No; I would make the pilot as much responsible as I think in effect he now is. As to the liability of the pilot to make up any serious damage to property, it is perfectly illusory; the only liability a pilot can ever be submitted to, looking to the position of the man and the property he possesses, is the risk of punishment or dismissal by those employing him.

3265. Then of what use would a pilot be to a master, because I suppose the master would only take a pilot to take the command of his ship in waters unknown to himself?—These are waters of special danger, and the pilots are assumed to be men well trained in the navigation of these particular waters, and the captains take the pilots with a view of obtaining the benefit of knowledge and skill beyond what they themselves possess.

3266. If a pilot made a mistake, you would make the owner responsible for that mistake?—Yes, I think the responsibility should rest with the owner.

3267. Under such a principle, if a law existed compelling you to employ a certain coachman, and that coachman should capsize your carriage with you or any other person in it, you would be responsible for the act of the coachman; is that your view?—I cannot say that I see any fair analogy between the two cases.

3268. The analogy is simply this, that you would compel a shipowner to take a pilot, and at the same time make him responsible for any defective navigation on the part of that pilot. In the Mersey, you compel the owner under the present system to take a pilot, and under the new system you would still compel him to take a pilot, but if the pilot got the ship ashore, you would make the owner responsible for the acts of the pilot?—I regard a pilot as a public officer supplied to superintend the (commonly) defective skill in these waters of all captains, and I would, on behalf of the State, compel every captain to receive, on entering or leaving the Mersey, such a pilot on board. I assume that these pilots are men well trained to their business, and as efficient as such men can be made; and that whatever may be the result, the ship is far less liable to come to grief with one of these pilots on board, than with the best captain she can possibly have alone.

3269. If she did come to grief, with a pilot on board, you would leave the pilot entirely free from blame, and you would make him responsible to the conservators, but for the loss accruing to life or property you would make the owner responsible?—There is, in effect, no remedy against the pilot at present; and I would give a remedy against those who are the owners of the ship.

3270. In such cases would it not be fair to leave the owner at liberty as to whether he employs a pilot, or otherwise, seeing that he is to have all the responsibility of the navigation?—No, I think not; usually a shipowner does not own more than one-fifth to one-third of the property committed to his charge; he owns the ship and probably the freight, but he does not own the cargo, generally; and therefore, looking only within the limits of the ship itself, he may be taken to be the owner of one-fourth or one-fifth of that committed to his charge.

3271. According as the law stands, he is responsible for something more than his ship; he is responsible also for the defective navigation to the extent of 8 *l.* a ton for the cargo that lies on board, is not that the law at present?—Yes.

3272. Would you consider it very hard indeed, if you were a shipowner, to be compelled to take a pilot, through the law of the land, and at the same time be responsible for the acts of that pilot?—I have no doubt a shipowner, regarding the matter from his own point of view, may think it hard, but I think it would be much harder upon the community, and those engaged in the navigation of the Mersey, to permit the present immunity to continue.

3273. In taking risks, you say you give the preference to vessels carrying pilots rather than to vessels which do not carry pilots?—With reference to the Mersey, I do not think there would be much difference, because the danger would be incurred by the ship in the hands of a pilot to a very considerable extent, although the danger would result from the imprudent acts of those who did not take pilots.

3274. You would not, I think, make any stipulation in your policies as to carrying or non-carrying pilots?—It would be vain to attempt it; and if effected it would be found to be of little value.

3275. You said that a man ought to serve an apprenticeship in order to make a proper pilot for the Liverpool waters; are you aware that something like double the number of vessels pass in and out of Liverpool annually without pilots, compared with those that carry pilots; it was stated in evidence by one of the Liverpool witnesses that 33,000 ships pass in and out of Liverpool without pilots during the year, and 15,000 with pilots?—I am not aware of the relative numbers.

3276. Can you tell whether the vessels which are navigated in and out of the Mersey without pilots are as well navigated as those carrying pilots?—I should say that those not carrying pilots must be worse navigated; that is, with greater liability to danger.

3277. How do you account for the fact, that Liverpool supplies half the collision cases which occur in the whole United Kingdom; is that in consequence of neglect on the part of the underwriters, or of the pilots who are there?—In a great measure I should account for it in the same way as I should for the fact, if asserted, that

in

in Cheapside and Fleet-street there were more collisions with carriages and vehicles of different descriptions than in other parts of London; I should also expect it, because the channels are not only crowded, but they are naturally narrow, and are now more difficult of navigation in consequence of the increased size of the vessels. The tides run very strong, and the difficulties even of a single ship getting in and out are greater there than elsewhere; but the difficulties when 100 or 150 ships come up, and all want to get in, are very materially increased. Therefore I should expect to find in Liverpool the number of collisions unavoidably greater than elsewhere.

3278. Do you think the navigation is more crowded on the Mersey than the navigation of the Thames, where you have every day a continuous arrival of fleets of colliers from all parts of the coast?—Will the honourable Member have the goodness to follow me with reference to what I am now saying: Crosby Channel, which is a continuation of the Mersey, opens out into two channels, called the Queen's and the Victoria Channels; there the two narrow guts run into one channel, through which the whole trade must pass. The Thames is a much wider stream, and though devious in its course, I should suppose does not present a case at all analogous to the Mersey in a crowded state, when many vessels are passing in and out through those channels.

3279. But you have not a fleet of barges to contend with in the navigation of the Mersey; at all times of the tide you have a fleet of barges to contend with going up and down the River Thames. I suppose if you had something like 150 ships passing your bar, or entering your channel, that would be considered a very large number?—I must confess that I speak with great diffidence on anything involving a comparison between the Mersey and the Thames, because I know the Mersey much better than I do the Thames; the facts referred to by the honourable Member are not within my knowledge.

3280. You said that you advocated an increase in the compulsory pilotage system, on the ground that it would be the means of preventing loss of life?—I think if a more strict application of the compulsory system were maintained it would be well.

3281. Can you tell us whether the pilotage system is more effectual than any other in the saving of life from the wrecks which are occurring annually round the coast?—I can speak with confidence only of the Mersey.

3282. Which do you consider is of the most value in saving life, the life-boat system or the pilot system?—The pilots as a class exercise a preventive action; the life-boats are rather curative; the two things can hardly be compared; the pilots save many thousands of lives, I have no doubt, by the exercise of their skill. I can tell you how many lives are saved by life-boats, but it would be impossible to say how many are prevented from being put in peril by the acts of pilots.

3283. Do you think there is much danger, either to life or property, in the navigation, in passing from the Bell Buoy over the bar?—Very considerable, unless averted by competent skill.

3284. Would you consider the fact of a man commanding a steam tug was a proof of his possessing competent skill?—Not the fact of his commanding it, certainly.

3285. Who guides a ship in charge of the steam tug?—That is a question which it would be better to address to a practical man; but, so far as I understand it, the pilot remains on the deck of the ship being towed, and by waving his hands and other signs he lets the master of the tug know if he wishes him to take any particular course; but I think, practically, the captains of the tugs, by long practice, are fair pilots for ordinary emergencies.

3286. Therefore, in your opinion, a vessel in charge of a steam tug would be almost as safe as a vessel in the hands of a pilot?—No, it would not be so safe, inwards or outwards. There is one class of accidents, in particular, the breaking of the tow rope; it is a thing that frequently occurs; and if the tow rope breaks, the tug is away and the ship remains; then, if the pilot is on board there is the difference, perhaps, between total loss and freedom from risk.

3287. That is an accident which very rarely occurs?—I believe it very frequently occurs.

3288. You said that you looked upon the pilots in the Mersey in the light of police who regulate the navigation of the Mersey; does the harbour master rule the pilots?—I think that question would be best asked of the pilotage authorities, who are here. As I understand it, there is a committee of the Mersey Docks and Harbour Board, which is charged with the superintendence and regulation of the pilotage, and the funds derived from the ships in the shape of pilotage fees are applied to the maintenance of the boats and the payment of the men, according to a system that will be described to the Committee in detail.

3289. You compared them to police; I apprehend that there must be river police, for the purpose of regulating the traffic on the Mersey, irrespective of the pilots; therefore it would be unnecessary to look upon the pilots as being the police of those waters?—I used the phrase "police," in order that the Committee might clearly understand that I am by no means an advocate for applying compulsion where it can be avoided; on the contrary, I so much respect the doctrine of free trade, that I would not trench upon it, except in cases of necessity. I used the word "police," to indicate the action of the executive in seeing that certain perils are not needlessly incurred, affecting a large number of persons.

3290. Would you give a man the license of a pilot who proved himself capable of passing a proper examination?—I should restrict it more than it is restricted: I am very doubtful of any man being capable of acting as a good pilot, under emergencies especially, unless he has not only been examined, but previously trained to his work.

3291. Would you give every man a license who has served his apprenticeship, and who proves himself capable of passing an examination?—Yes, but such a man must be a member of the staff.

3292. You would not limit the number?—No, except so far as this, that I think the superintending authority is bound to maintain a certain staff; they receive from the Government certain compulsory power to enable them to do it, and they should use their discretion so as not to employ a larger number of persons than is necessary.

Mr. *J. T. Danson.*

29 April 1870.

In the same way they must see that the number is sufficient.

3293. You spoke of paper pilots, and I did not know what you meant; have you any paper pilots in Liverpool?—I will tell you what I mean; if from my knowledge of that chart, and from my experience as an underwriter as well, you were to give me two or three days to get the subject up by cramming, I believe I could myself pass as a pilot. But I certainly should not deem myself an efficient one, though I might answer the questions that would be put to me in a room, from having been familiar with the charts, and buoys, and lights.

3294. I understand from your statement, that the examination which the Pilotage Board has for pilots is not a stringent one; it is simply an examination which is mechanical, which yourself or myself could pass by preparation?—I think it is as good as it can be made while the examination is not supplemented by training; that is to say, that all the questions you can possibly ask a man as a test of his ability may be answered, and yet he may not possess the required ability to such an extent as would justify his being allowed to navigate a ship under perilous circumstances through those channels.

3295. Mr. *Cave.*] As an underwriter, are you in the habit of insisting upon pilots being used in voluntary waters?—My business is done chiefly in the Mersey, where pilotage is compulsory. I do not know that such a stipulation is common.

3296. Supposing compulsory pilotage were abolished in the Mersey, do you think the underwriters would insist upon the masters of vessels taking pilots before they would insure their vessels?—I do not think they would, for the two reasons which I have already stated. In the first place, competition amongst underwriters, which induces them not to place needless restrictions upon their customers, would induce some of them not to insist upon it if others did; and in a very little time, on examination, they would find that it was no protection to them; personally I should not think of applying such a restriction.

3297. In the first place, will you explain what you mean by needless restrictions; do you mean that you do not consider a pilot necessary to the Mersey?—No. When framing a policy for a customer who comes to me to insure a ship valued at 30,000 *l.*, and I agree to take 5,000 *l.*, if I put in any restriction which is not joined in by the other gentlemen who join me in the risk, it is a disadvantage to the insurer, and he would not have it; he would wish to have a clean policy, unaffected by restrictions, and he would be likely to withdraw his business from me if I insisted upon a special restriction.

3298. Do you think the competition for business would prevent even necessary restriction being made by underwriters?—No; I think that examination would convince an intelligent underwriter that it was not a necessary restriction, and was not one that would benefit him.

3299. That is what I wanted you to explain; you have said that you considered it was necessary for the safety of the vessel that a pilot should be taken in the Mersey?—Yes.

3300. If it is necessary for the safety of the vessel, is it not necessary, for the safety of the underwriters, that pilots should be taken?—The danger with the optional system is this: that a certain number, the minority, would cease to take pilots, except under manifest peril, and that danger would thence accrue to prudent shipowners; perhaps four-fifths would continue to take pilots. Therefore, I should gain nothing, in effect, by insisting upon a pilot being taken by a man whose ship I insured, if his neighbours, parsimonious and reckless, evaded the taking of a pilot, and obstructed the channels, or caused danger by collision, or in any other way.

3301. You mean that the danger would be caused to that vessel by the bad navigation of another vessel which might be in the channel at the same time?—Yes.

3302. I suppose that is only a small part of the danger of the navigation of the Mersey. Would not you say that the chief danger would arise from the vessel itself striking on a sand bank?—A vessel would be far more likely to strike upon a sand bank, when going through a narrow channel, if a badly navigated ship was in the way; by trying to avoid a collision, a well-piloted ship might be run upon a bank.

3303. Independently of that, do you think there would be more danger of running upon a sand bank without a pilot, provided a master was navigating the channel alone?—In clear weather, and in daylight, so well is the channel buoyed, that I think a person with little or no skill in navigation might, with care, take a vessel in or out of the Mersey; but those are exceptional circumstances.

3304. You would say there are circumstances, irrespective of the bad navigation of other vessels, in which it would be desirable for the safety of the vessel that she should take a pilot?—Yes.

3305. Therefore, would it not be to the advantage of the underwriters generally to agree to insist upon pilots being taken under those circumstances?—I do not think that it would be to their advantage to insist upon a stipulation which they could not carry into effect.

3306. Would not they be able to carry it into effect if there was united action amongst them?—I can scarcely say what the effect of united action amongst the underwriters might be, as we have had no experience of it. I think if we were all united, we might have considerable control over the navigation of vessels; but I think we might use it mischievously.

3307. You do not think that the action of the underwriters could be brought to bear so as to oblige vessels to be sent to sea in a better state, or navigated better than they are now?—In one way, yes; in another way, no. The one way would be the increase of premium; but it would go over all the shipping; some would have to pay for the folly or the imprudence of others.

3308. Do you consider if compulsory pilotage was done away with that a great risk would be incurred, and that you would have to put a sort of war risk upon your vessels?—We should most likely wait the event; and no doubt the result would be an increased loss of property, and thence would arrive an increased premium.

3309. And in this way you think the action of the underwriters would be brought to bear?—Yes.

3310. Is it not the fact that in what you call clean policies there are certain well-understood stipulations?—All those that are in the ordinary form are not usually objected to, but they would not have any bearing upon the question.

3311. It would be only an enlargement of the ordinary printed policy?—If the enlargement came into existence under the common pressure of

of the united body of the underwriters, it would establish itself as part of the common form; but I think there is not the slightest prospect of that being effected.

3312. Do you think that competition will be too great among the underwriters for them to have any united action of that kind?—Competition would prevent them doing it if they deemed it advisable in Liverpool; but they would not deem it advisable. I should not myself think of applying any such restriction as to Liverpool. The danger would arise from the imprudence and folly of the minority, and that would affect the whole trade.

3313. And that you think would lead to increase in the premiums?—Yes, if it led to an increased amount of loss.

3314. Sir *Charles Wingfield.*] You said just now that you considered the pilot only as an adviser to supplement the defective skill of the master?—It is assumed to be defective.

3315. Your explanation was that it was to supplement the defective skill of the master in the navigation of a difficult channel?—Yes.

3316. Are you prepared to say under what circumstances you think a captain would be justified in setting aside the pilot's instructions in the navigation of a vessel?—I am not prepared to describe the circumstances, but I think, speaking generally, that it would become the duty of the captain to set aside the directions of the pilot if he were reasonably convinced that they were likely to lead to disaster; but I think it is very seldom that such circumstances would occur; and that only an exceptionally strong-minded captain would probably act upon it.

3317. Is it not the fact that the masters do think, as a rule, that the presence of a pilot on board relieves them of all responsibility?—They do.

3318. I understand you to say that you would withdraw all the immunity that the owners now enjoy, and that at the same time you would make pilotage compulsory?—I would.

3319. And you would abolish all exemptions?—With regard to all exemptions, I speak with a little diffidence; I have not considered all the exemptions in detail; I think possibly some might remain.

3320. Would you make pilotage more complete and compulsory than it is now?—I would apply the principle more strictly.

3321. Are you aware that it is the rule, according to the law of employer and agent, that the owner is not responsible for a man he has not selected?—It has been so considered.

3322. Are you aware that there is a decision of Sir Robert Phillimore in which he has laid that down?—He has laid it down that if the pilotage is compulsory, while the pilot is directing the course of the vessel the owner is not liable for what may result from his misdirection of the vessel.

3323. You said just now that if pilotage were optional, some vessels would dispense with pilots, and they might by blocking up the channel, cause inconvenience and injury to other vessels; would not the class that would go without a pilot be only the least valuable?—They would generally be the ships of least value, and the cargoes of least worth.

3324. I understood you to say, that even if you had your way, you would exempt vessels under a certain tonnage from the liability to employ pilots?—I expressed some doubt as to whether that exemption ought to be abolished; I think, as a rule, I should abolish all exemptions.

3325. Do you think if pilotage were not compulsory it would be impossible to keep up a staff of pilots?—I do not think it would be impossible; if you give to the local authorities in Liverpool 60,000 *l.* or 70,000 *l.* a year, or whatever may be the proper cost of the staff, they can keep up the staff undoubtedly.

3326. I am not supposing that. What I ask is that if the pilots were left to depend upon their own earnings, do you think that you could keep up a sufficient number of pilots?—Unless those who take the pilots, as distinguished from those who do not take them, were taxed more heavily in order to raise the deficiency from the non-taking of pilots, it could not be done.

3327. Are you aware that in the Thames where more than half the vessels have been exempt from compulsory pilotage, an immense number of pilots, over and above the Trinity House establishment, is employed, and that no vessel goes without a pilot?—I know but little of the pilotage of the Thames; but what I do know convinces me that no analogy can, for any useful purpose, be drawn between the two places.

3328. Does not the Thames resemble the Mersey in this respect, that it is a difficult navigation?—At times it has difficulties, undoubtedly.

3329. Would not that show that all that is wanted to create a sufficient supply of pilots is the difficulty and the demand for them?—No, I think not. In Liverpool, to make your staff efficient for that purpose, you must have not only a sufficient number properly trained and regulated as they are now (because I do not think it could be materially improved in that respect); but in order to meet the purpose which I have in view, you must compel every ship to take one of those pilots.

3330. But the same difficulty that practically compels a shipowner to take pilots in the Thames, though he is not obliged to, would equally compel him to do so in the Mersey?—It would compel all the prudent and intelligent, but not the others.

3331. The example of the Thames shows that the mass of shipowners are prudent and intelligent, because they do employ pilots?—I believe the mass of the shipowners in the Thames and Mersey would be found to be prudent and intelligent; but there is a minority of mischievous persons who would not be so.

3332. I cite the example of the Thames to show that the minority is so insignificant as not to be observable?—I believe it would not be insignificant in its effect in the Mersey.

3333. *Chairman.*] You stated that in your opinion the class of vessels which you insure would always take pilots?—I think that most of the vessels which I am in the habit of insuring would go with pilots.

3334. And you are one of the largest underwriters in Liverpool?—Yes.

3335. In your opinion, therefore, a very large number of vessels must still continue to take pilots?—A very large number.

3336. In one portion of your evidence you said that in your opinion not more than one-fifth of the vessels going in and out of Liverpool, even in favourable weather, would neglect to take pilots; do you believe that is the case?—That was a

Mr. J. T. Danson.

29 April 1870.

rough guess simply; I cannot say it should be relied on.

3337. Making a rough guess like that, do you think that not more than one-fifth of the entire number would decline to take pilots even in favourable weather?—I think it might be about that proportion, but I cannot place much reliance upon it.

3338. Then in unfavourable weather I presume all would take pilots if they could get them?—Under manifest peril they would all take pilots.

3339. Therefore, the falling off of the employment of pilots in favourable weather would only be one-fifth?—I think you should explain what you mean by favourable weather. I meant such weather as they would deem favourable.

3340. I will take your own opinion as to what is favourable weather; you stated in your evidence that in your opinion not more than one-fifth of the entire number of vessels would decline to take pilots even in favourable weather; is that so?—It was a rough guess, and probably it ought to be rather one-fourth or one-third.

3341. I take your own rough guess?—It is so rough a guess that it is unreliable for any material purpose.

3342. Is it your opinion that the great bulk of vessels would continue to take pilots?—I think they would.

3343. Even in favourable weather?—Yes.

3344. And in unfavourable weather you believe they would all wish to have pilots?—They would all wish to have pilots when they thought there was considerable danger, but what they might think favourable or unfavourable weather I cannot say.

3345. Have you had any experience of the navigation of any other port besides that of Liverpool?—I cannot say that I have any experience of the navigation of any port whatever, but I have a personal knowledge of the Mersey to a much greater extent than of any other port.

3346. I presume you are in the habit of insuring vessels to other ports?—Yes.

3347. And you must, therefore, insure vessels proceeding to and from some ports where pilotage is voluntary?—Yes.

3348. Do you make any condition yourself in their policies as to the taking of pilots?—None.

3349. Have you any reason to believe that the premium is increased in those places in consequence of the pilotage being voluntary?—It would be very difficult for me to ascertain what proportion of premium is now found sufficient, or is rendered necessary, if there be any additional premium, by the voluntary system; underwriters judge rather by a general inspection of the results of certain risks in certain classes, than by any precise knowledge of the circumstances affecting the risks.

3350. Do you insure any number of vessels proceeding to the Bristol Channel?—No.

3351. Do you insure vessels proceeding to the north of Europe from the Thames?—Not many, and those that I do insure are chiefly steamers.

3352. Which are the ports where pilotage is voluntary to which you do insure?—I am not quite sure whether pilotage is voluntary or not; but I understand that at most of the ports on the east coast, there is so easy an entrance and exit, that the services of pilots are comparatively of little consequence.

3353. Judging from the evidence which you have already given, I presume in most cases where you insure, you have reason to believe that the vessels do take pilots?—Where it is at all necessary.

3354. What reason is there for believing that a higher premium would be charged in the event of the pilotage in Liverpool being voluntary instead of compulsory?—Because I think the number of losses of ships and the amount of property lost would be seriously increased.

3355. You believe that the vessels that you insure would always take pilots?—I think they would; but they would not by that, I apprehend, be exempt from danger.

3356. It is the danger arising from other vessels not taking pilots which makes you think that there would be increased danger to those that do take pilots?—That is a great portion of the danger, and it would fall upon the whole trade.

3357. You stated that, in your opinion, it would not be probable that the underwriters would insist upon any condition of the policy that a pilot should be taken?—I do not think they would.

3358. Were you here the other day when Mr. Squarey gave his evidence as to what is the implied condition of seaworthiness as regards taking pilots?—I was not.

3359. Do you agree that it is already the law and the implied condition of seaworthiness that if a master is not competent, that he should take a pilot?—I understand that that is the law.

3360. Would not that, in your opinion, have a considerable effect in making vessels take pilots?—No; I think the law upon the subject is very little known.

3361. Do you agree with Mr. Squarey?—I do not venture to agree or disagree with Mr. Squarey on the point of law; I should prefer simply taking the record of the law as establishing the fact that it is so; but I do not think it has a material effect, because I do not think it is generally known.

3362. Do you agree that it is the implied condition of seaworthiness, that a vessel on proceeding on its voyage should take a pilot if the master is not competent?—Yes.

3363. Do not you think that that is an inducement for many vessels to take pilots?—I do not think it is, because I do not think it is generally known. I do not think that motive induces them to take pilots; it is a conviction of its necessity as a matter of marine propriety.

3364. Are you aware that it is the actual condition of a great many foreign policies of insurance of vessels proceeding to the north of Europe, that pilots should be taken?—I believe that such a clause exists in such policies; but I have had nothing to do with that trade, and it has not fallen under my observation particularly; neither has its effect.

3365. You have given an opinion that the immunity of owners where pilotage is now compulsory should cease?—Yes.

3366. Is that grounded on your experience that damage occurs to vessels from the fact of masters giving up the charge of their vessels to pilots?—Yes, partly on facts, and partly on the inference, which I cannot but draw from the fact that if the captain is permitted, and much more if he is tempted, to give up the charge of his vessel to anyone else, an increase of danger takes place.

3367. Is

3367. Is it your opinion that a considerable number of collisions in the Mersey itself are due to the immunity of the owners?—I think it might be difficult in most cases of collision to trace the effect of it, but I have no doubt whatever that that is the effect.

3368. But by repealing the immunity of owners, do you think the safety of vessels might be increased?—Yes, I think the captain would then deem it more decidedly his duty than he does at present to remain on deck in charge of his vessel; at present he is tempted, and in fact, he feels more than a temptation; sometimes, though foolishly, he regards it as part of his duty to the owner to abdicate, openly and obviously, the chief command of the ship, in order that the immunity to his owner may be secured.

3369. And you think that immunity does cause an appreciable number of collisions?—Yes.

3370. And adds generally to the danger of vessels in crowded localities?—I think it does.

3371. So far as this Bill before the Committee repeals that immunity you are favourable to it?—Yes.

3372. But you think that that result might be arrived at without abolishing compulsory pilotage?—Yes.

3373. Have you any reason to believe that the shipowners generally would approve of that change?—I have; having conversed with many shipowners on the subject, I have found among the more intelligent and the more deeply interested of them this opinion, that the immunity is one that they would like to retain, but that if it were taken away they would still wish to retain compulsory pilotage.

3374. Mr. *Norwood.*] Do you think the shipowners, as a body, are intelligent?—I presume honourable Members are much better judges of that.

3375. Are you aware that the tendencies of legal decisions of late has been towards throwing increased responsibility upon the shipowners?—I am not aware of such an effect of the decisions.

3376. Are you aware that within the last very few years the shipowners have been held responsible for the damage done to cargo on board a vessel by the negligence of the captain?—Yes.

3377. Are you aware that that is the effect of a recent decision?—Yes.

3378. Supposing that your idea of compulsory pilotage, without exemption of liability to shipowners, was to be the law of the land, do not you think it would be extremely hazardous for a shipmaster to interfere with the pilot's directions?—I do not think it would be more hazardous than it ought to be; the amount of the hazard is for the captain and the owner to consider, but I have sufficient confidence in the doctrine of free trade to feel sure that if any disadvantage were, by law, saddled upon the shipowner, that being a necessary disadvantage, it would balance itself at last.

3379. I do not see how free trade comes into the question. The necessity for compulsory pilotage is based upon this theory, that there is an exceptional danger in the navigation which an ordinary shipmaster is not calculated to cope with, and, therefore, it is desirable for the general safety that a special body of men, specially trained and specially acquainted with the navigation, should be forced upon the shipowners while the ships are in those waters?—Excepting the phrase "forced upon," and so far only as compulsion implies being forced upon, I say, Yes.

3380. If a shipowner, by law, is compelled to receive this man who, as you have just admitted, acts in virtue of his superior knowledge of and training in the great difficulties of the navigation, do not you think that the master who is presumed to be incapable of navigating would be a very rash man indeed if he was to interfere with the navigation of the ship against the opinion of this competent man?—He would be excessively rash unless he had very good grounds, and those very seldom occur.

3381. Supposing in a ship that you had insured the master had acted contrary to the orders of the pilot, what would you say to that?—I should inquire into all the circumstances.

3382. And very likely you would dispute the policy?—That is very unlikely. I think it is extremely unlikely that I should find the captain guilty of anything of that kind, except on what seemed to him very good grounds.

3383. What seemed to him is a very vague statement?—Yes.

3384. What might seem to him to be right, might not seem right to you?—It could only come to me after the result.

3385. Do you think it a fair thing if a man is efficient that you should force a pilot upon the shipowner, and make the owner responsible for the acts of that pilot?—I do under the circumstances existing in the Mersey; I think it is for the general benefit.

3386. All the navigation of England is not confined to the Mersey?—No, I say nothing except as to the Mersey; elsewhere I would avoid it if possible. It is impossible to avoid it here, in short; the risk is so great that I think the shipowners themselves, looking at all the facts, would admit that it is requisite.

3387. In compulsory waters, where a master acts contrary to the orders of the pilot and loses his ship, do not you think that the owner of the cargo would have a fair claim upon the shipowner?—That is a matter of law.

3388. As a matter of practice, have not there been cases very similar to that already?—I would make the owner, through his captain, liable whether the pilot was there or not, and whether he acted in accordance or discordance with the advice of the pilot; and as to the pilot, the captain must have sufficient judgment to get from him whatever guidance he wants, and sufficient energy to put it aside if it is not what he ought to get.

3389. Have you ever thought how it is possible to get an improved breed of captains?—I have considered it with a good deal of anxiety.

3390. Do you think that that cannot be done?—I think it can be done.

3391. Captains are fallible men, are they not?—We all are.

3392. And yet you throw upon them responsibility that no other class of men have to encounter?—I cannot admit that.

3393. But you put upon a ship a pilot who is especially trained and brought up on certain waters; you force him on board the ship because the captain is incapable of navigating in those waters, and you make the captain responsible for the navigation, and you compel the captain in case of need to supersede the pilot; do you call that just?—Yes.

Mr. *J. T. Danson.*

29 April 1870.

3394. I believe a gentleman of the name of Squarey stated, in his opinion, the law of seaworthiness included the presence of a pilot, did not he?—Yes.

3395. Did you ever hear that opinion expressed before?—Yes.

3396. Do not underwriters charge premiums upon their general experience of the risk of certain trades?—Yes.

3397. I presume they were tolerably well able to take care of themselves?—I think they are, as a body.

3398. Do you think underwriters generally will suffer more in pocket if this Bill passes than they will if it does not pass?—I do not think it will make much difference to them; if the risks increase their premiums will rise.

3399. In point of fact, you would charge a premium which would give you a proper return for your trouble, time, and risk?—Yes.

3400. And you have that under any circumstances, I suppose?—We must have it under any circumstances, or we must cease to exist.

3401. Therefore I suppose underwriters are not much concerned in this Bill?—They are to some extent. As Englishmen they would not like to see life or property sacrificed. It would be an injury to the State. Also, they do not like those risks which arise from ignorance, recklessness, or fraud; they prefer writing against the acts of God.

3402. Have you ever considered the question in this point of view; under the present system of compulsory pilotage I think there is little room for individual ability, or room for individual enterprise; for instance, the pilots take their turn at work, and so long as their work is conducted without any serious collision or loss, they are contented with the result of their labour, but there is nothing like free trade, which you are so fond of; there is no competition so as to get a man of superior ability to distinguish himself and earn a larger livelihood?—Looking at the class of men, earning from 200 *l.* to 220 *l.* a-year, I should say that there is in the pilotage staff of Liverpool as good a chance for a man to distinguish himself as men of that class have in any other part of the world.

3403. Does the rate of remuneration vary according to the men?—That I cannot speak of from any knowledge of my own.

3404. Is there any chance of any superior man earning 400 *l.*, while his dull neighbour earns only 200 *l.*?—That question had better be addressed to the pilotage authorities. I am not aware exactly how their earnings are divided as to individuals.

3405. Do not you think that it is a very good rule to leave it very much to the enterprise of the men?—Yes, as long as the enterprise does not trench upon the rights of others.

3406. Our system in the merchant navy is this, that all captains and engineers are obliged to have a certificate of competency, would it be possible to trust our pilotage waters to the same rule?—It would be possible to do it, but it would be very inexpedient in the Mersey.

3407. Your pilots are always out at sea when they are wanted in bad weather, are they not?—Yes.

3408. And they do not skulk at all?—I have never heard of any such case, and the experience of captains and others is decidedly against any such charge being well-founded.

3409. Of course the cargoes of the vessels which you insure are very valuable, and the pilotage is a very small per centage upon the value?—I have given a rough calculation of what it is.

3410. In other ports, of course, it would be much larger?—It may be, but I have no personal knowledge of it. I should think it is extremely likely that to maintain a staff in a small port would, where the trade was small, be much more onerous than in Liverpool.

3411. Your objection to the present system is based upon the principle that pilotage should either be entirely compulsory, or the converse principle, that it should not be compulsory at all?—I think the exemptions should be as few as possible.

3412. In fact, you think there should be none?—I think there should be none. I do not venture to express that opinion very positively, as I have not considered all the difficulties of it.

3413. In your firm I presume you underwrite vessels trading all over the world; in London, I suppose you are aware that a steamer coming from the north of Europe into the Thames is free from pilotage, provided she has no passengers on board?—I believe there is such a regulation.

3414. But if she has a single passenger she is then bound to take a pilot compulsorily?—Yes; I believe there is a similar obligation in Liverpool, but it is not enforced.

3415. The existence of a single passenger on board a steamer would not make the difference of a thousandth part of an inch in the draught of water, would it?—I suppose not, but I have nothing to do with life.

3416. Do you think there is more difficulty in navigating a steamer with one more man on board than without?—I cannot conceive any additional difficulty.

3417. Do you think there is any reason, or sense, in fact, in an exemption of that kind?—I think there is reason for it.

3418. Upon what ground?—I think when a person, who may be assumed to be wholly unacquainted with maritime affairs, goes on board a steamship, which is an ordinary mode of conveyance, such provisions for his safety, especially regarding his ignorance of maritime affairs, as the State may think expedient to adopt, should be enforced in order to the preservation of his life.

3419. Of course you think that one human life is superior to a very large amount of treasure?—I cannot venture to compare them at all.

3420. Mr. *Gourley.*] Are you aware that the underwriters in Lloyds' rooms in London have expressed an opinion in favour of the abolition of compulsory pilotage?—I am personally acquainted with all the leading underwriters in London, more or less. I have conversed with some of them on the subject, and I believe there is a feeling of dissatisfaction with the present system. I have not traced the dissatisfaction to its source, but I think it arises from the very irregular and anomalous condition of the system rather than anything else. I have not perceived in the conversations I have had with any of these gentlemen any distinct objection to compulsory pilotage as a principle.

3421. But if you were made aware of the fact that they had petitioned in favour of the abolition of compulsory pilotage, you would naturally attach some weight to their opinion, would not you?—

you?—I think their opinion should be regarded with great weight as to the Thames, but with very little as regards the Mersey.

3422. Do you think that the Mersey is so much more difficult than the estuary of the Thames?—It is peculiar; it involves great danger; but whether there is more or less danger than on the Thames, I would not say.

Mr. *J. T. Danson.*

29 April 1870.

Mr. Thomas Richard Shallcross, Examined.

3423. Mr. *Graves.*] I believe you are a shipowner in Liverpool?—I am.

3424. And you are also Chairman of the Liverpool Shipowners' Association?—I am.

3425. Does that association comprise nearly all the principal owners of sailing ships in Liverpool?—It does.

3426. Are you at all aware of the proportion of steam to sail ships in Liverpool?—I am not, but I should think that there are at least twice as many sailing ships as there are steam in tonnage.

3427. Has this Bill been considered by the committee of the association?—The committee considered the Bill many times, and the association confirmed their decision.

3428. What result has been arrived at with reference to it?—The committee object to the abolition of the present system.

3429. Has that opinion been confirmed by the association?—It has been unanimously confirmed.

3430. You have heard the evidence of Captain Ballantine, and also Mr. Danson, with reference to the superior efficiency of the pilot service of Liverpool, do you concur in that?—I do.

3431. Is the opinion you have now expressed, so far as you are able to ascertain it, the opinion of the shipowners generally of the port of Liverpool?—It is. I have heard no complaint with regard to the system.

3432. I believe it is the unanimous opinion of the association that the compulsory system of pilotage should be retained?—It is.

3433. Can you give the ground on which that opinion is arrived at?—They think that without the compulsory system an efficient pilotage could not be maintained, in consequence of the necessity there is for the pilot boats to stand out to sea in all weathers waiting for ships coming in. They think that that efficiency would be very much curtailed if it gave to parsimonious people the opportunity of refusing a pilot in fine weather. The weather is very uncertain, and danger might come on very suddenly; therefore it is necessary that the pilots should always be at hand to render assistance when required.

3434. Do you carry your opinion so far as to think that it is not prudent for any vessel to enter or leave the Mersey without having a pilot on board?—I think it is possible, on a fine day, but it is extremely imprudent. A case occurred, in my own experience, within the last few days: one of our own vessels was ready for sea last Saturday, and on Wednesday morning I thought, and we all thought, that the vessel had gone that day; she had not gone simply because the pilot considered that there was too much sea on the bar, and that it was dangerous to go. I think it is extremely likely that the master, urged as he was to go to sea the first favourable opportunity, would have gone then, as the wind was favourable, if it had not been for that; and I think it was very prudent to act upon the advice of the pilot.

3435. There the presence of the pilot overruled your anxiety to go at once to sea?—Yes; the vessel was only drawing 17 feet six; so that her draft of water was not great.

Mr. *T. R. Shallcross.*

3436. Have you formed any opinion as to what extent the shipowners would avail themselves of the option if the voluntary system was introduced?—I cannot tell; I think the cupidity of some men would make them save a few pounds when they thought they could do so, regardless of the safety of life or goods.

3437. They would thus, by refusing to take a pilot, not only render their own vessel less secure, but they would render the navigation of the Mersey more insecure; is that your opinion?—I think so.

3438. In what light is a pilot generally regarded in Liverpool; is he regarded as holding an independent position between the owner and the master of the vessel, or in what light is he generally looked upon?—He is looked upon as a man who is from his education a thorough seaman; he knows all the bearings of the coast and channels, and he is better able to direct the ingress or egress of ships to and from the port of the Mersey than any man who is only there occasionally could possibly be.

3439. Do you consider that the present system of pilotage, the stations and the whole state of the management, is the best suited for the requirements of the port of Liverpool, or is there any change or modification that you could suggest?—I think in the management and the fixing of the stations the plan is admirable; I have never known any of our vessels to have to wait long for pilots; I have never known any inconvenience to arise from the want of a pilot, and I feel very strongly that it is necessary to keep the number of pilots up to the greatest number that is likely to be required in the port for the purpose of bringing in ships or taking them away at all times.

3440. Is it your opinion that if there was the one-sided obligation placed upon the pilots that is proposed by this Bill, there would be any danger of the efficiency of the pilot service being decreased?—I think there would be great danger of it.

3441. That would be caused principally from the decrease of revenue, would it not?—Yes, and not only from the decrease of revenue, but I think that there would not be the same obligation for a man to risk his life in stormy weather as at present exists. At present there is a sort of *esprit de corps* which takes the men out, and they are bound by the rules of the service to be at particular points in all weathers.

3442. Supposing the rules of the service remained the same, would there still be the same *esprit de corps*, or moral obligation?—I do not think so. If a man felt that he might be out for a week, and no man would take his services, I do not think he would feel that he was obliged to go out on difficult occasions to render assistance.

3443. Would he be more likely in bad weather, under a system which left it entirely optional on the

Mr. *T. R. Shallcross.*

29 April 1870.

the part of a shipmaster to take him or not, to consult his own personal safety?—I think he would.

3444. At present there is a moral sense of obligation, almost amounting to compulsion, which obliges him to risk his life?—Quite so.

3445. And are you of opinion that that incentive would be wanting in a free system?—Yes.

3446. Have you any experience of the Tyne or the east coast of Sunderland?—I have been in the Tyne; we have had ships there, and we have had ships in the Wear.

3447. Are you personally acquainted with it?—I am.

3448. Are you aware that there the system of pilotage is voluntary?—I am not aware whether it is voluntary or not.

3449. Would you consider that a system of pilotage that suited such a port as Sunderland or the Tyne was adapted for Liverpool?—Certainly not. I think a pilot could, from the pier-head of Sunderland or Shields, give directions for a vessel to go in and out of the port.

3450. That is your impression of the pilotage of the east coast?—Of those ports, certainly.

3451. Have you any experience of Queenstown?—I have been in Queenstown, but I know very little about the place.

3452. I suppose from your experience as a shipowner, you must know enough to give an answer to the Committee as to how the boats are owned there?—They are owned by private speculators, who are agents for merchants and others, and the main business of those boats, as I understand, is to meet ships outside and place orders on board of them, a source of revenue which could not possibly exist in the Mersey.

3453. Are you aware that those boats are entirely outside and beyond the control of the pilotage authorities?—I believe that is so.

3454. Mr. *Stevenson.*] Have the shipowners whom you represent expressed any opinion on this point; where pilotage is compulsory the owners are free from liability; are they willing to accept the liability which would be involved in the abolition of compulsory pilotage?—The shipowners feel that with a pilot on board, they ought to be free from liability, whether the pilot is a voluntary pilot or whether he is a compulsory pilot; at the same time they feel it is proper that compulsory pilotage should exist in the Mersey, even though that immunity is withdrawn.

3455. Does not compulsory pilotage assume, in a great measure, the unfitness of the captain of the vessel to conduct the ship into the port?—I think that in the Mersey persons who are away for any lengthened period, would be utterly unfit to bring a ship into port.

3456. And the compulsory pilotage imposes upon a captain the services of a person, whether he desires those services or not?—Yes, and I think in the interest of humanity, it is necessary that it should be imposed upon him in the Mersey.

3457. And you think it reasonable that the responsibility should still attach to the captain and owner of the ship?—I do not think it is reasonable that many of the obligations the Legislature has thrown upon shipowners should be continued; but if the Legislature declared that we must have it, the shipowners would prefer to have this additional liability imposed upon them rather than give up compulsory pilotage.

3458. Do you assume that if the element of compulsion were removed, that the efficiency of the pilotage service would break down entirely?—I think it would cease to be efficient.

3459. In what respect?—I do not think you would get the number of pilots that are necessary for an emergency.

3460. Do you apprehend that the pilots would not keep their stations as they do now?—I think they would not.

3461. There would still remain very large employment for pilots, would there not?—I have no doubt there would.

3462. What proportion of ships do you fancy would continue to take pilots?—I can form no opinion; but it occurred to me, in thinking over this question, that if you limit the number of pilots there may be occasions when shipowners who are unaccustomed to take pilots in ordinary weather would take them to the prejudice of those who did employ pilots in all weathers. They would take the pilots in bad weather to the prejudice of those who always take pilots, leaving them without pilots, and I think you would materially increase the cases of salvage and losses.

3463. Is the number of pilots at present sufficient for every vessel to obtain a pilot in all cases without detention?—Practically that is so at Liverpool.

3464. If so many vessels gave up taking a pilot, would there be pilots for those who wished them?—I think they would give up the business.

3465. You mentioned a case in which one of your vessels was prevented from going to sea by having the benefit of a pilot's advice?—Precisely.

3466. Would you not equally have had the benefit of that pilot's advice if the pilotage had not been compulsory?—If we had employed one; but if it had not been compulsory on me to have taken a pilot I might not have done so, and the ship might have been lost.

3467. Would you not always employ a pilot in your own case?—As a prudent shipowner I think I would.

3468. Then, you would have had the benefit of this pilot's advice, in any case?—I should. If I could have got a pilot I should have employed one.

3469. You mentioned the River Tyne and the piers; are you aware of the actual condition of the piers in the River Tyne?—I have not been there for a considerable time, but there was high land round about the mouth of the Tyne by which the directions could be given from the shore almost.

3470. I think your local knowledge is hardly accurate if you think that; but are you aware that the piers have only been commenced within the last few years?—Rough ballast had been thrown out at the mouth of the river upon which I stood, and I could see out to sea from those places; and with a powerful speaking trumpet, I could have given any directions that were necessary.

3471. Are you aware, however, that there has been for many years a very efficient service of pilots at the Tyne under the voluntary system?—I do not know whether it is voluntary or otherwise.

3472. And that they have been able to keep up a regular system of apprentices under it, similar

similar to what you have at Liverpool, and that that is done under the voluntary system?—I do not know at all what the system is in Tyne. We have had ships there, and we have employed pilots and paid for them, because we always do employ pilots.

3473. You were not aware in doing so that it was optional for you not to do so?—No.

3474. Are you aware that the pilots there have been trained in as thorough a system of apprenticeship even as those in Liverpool?—I do not know that.

3475. Mr. *Price.*] Are you of opinion that the navigation of the Mersey is of that character that it cannot be safely conducted without an efficient system of pilots?—I am.

3476. And do you think that the present system of compulsory pilotage always secures you an efficient staff, and that a system of non-compulsory pilotage would not afford you an efficient staff?—I do.

3477. On what ground do you found the opinion that a non-compulsory system of pilotage there would not secure you an efficient staff of pilots?—I found it on human nature, that if a man is not paid for a thing he will not do it, and I do not think there is any prospect of getting a man to stand out to sea in rough weather and at all times to run certain risks unless he was quite sure of being employed.

3478. You do not found that opinion upon any practical experience of ports where the system of non compulsory pilotage obtains; but you simply found it upon a process of reasoning on human nature?—Precisely.

3479. But I suppose human nature is the same all over England, is it not?—I do not know I am sure.

3480. As an abstract question, it is likely to be?—Yes.

3481. Supposing you are told in other places where there is a difficult navigation, that with a system of non-compulsory pilotage there is an equally efficient staff of pilots to what there is under the compulsory system of pilotage at Liverpool, would not that bear somewhat upon the question and modify your opinion as to the prospects of a non-compulsory system at Liverpool?—That would depend upon the nature of the port itself.

3482. I assume that it is a question of a difficult navigation?—No; I have heard it said here to-day, and it is very reasonable, that in moderately fine weather a man might be induced to attempt the passage of the Mersey and fail in doing so, and the consequence would be a serious loss of life and property.

3483. You said in the early part of your evidence that men, from motives of cupidity, might be tempted to run needless risks in order to save the expense of pilots?—Yes.

3484. And shipowners are sometimes influenced by motives of cupidity?—Yes.

3485. But do not they run other risks besides those of not taking pilots from motives of cupidity; do not they go to sea inadequately manned or with an insufficient supply of chains and cables?—Yes.

3486. Then why should you think it necessary to protect them against the consequence of cupidity in one respect, and leave them open to the consequences of cupidity or risks in another; if you protect them in the case of pilots, why should you not protect them against the consequence of insufficient equipage or insufficient stores?—As far as I can understand, it is admitted by everyone that a pilot is necessary to go in and out of the Mersey, whether there is a voluntary or a compulsory system; I think the men are not overpaid at present, and so you will get a better chance of a good and efficient system by compelling everybody to take a pilot; I do not think a man in the case of a long ship has a right to risk the closing up of the port, which he would do by getting a ship 400 feet long across the channel of the Mersey; he has no right to run the risk of such a catastrophe.

3487. Nobody doubts that the navigation of the Mersey is a difficult one, or that it is expedient that there should be pilots, or that it is expedient that they should be generally employed; but do not you think that shipowners in their own interest, and notwithstanding that ordinary feeling of cupidity which influences human nature alike everywhere, as a rule, would take the pilots wherever they were necessary to them?—I think they would take them whenever it was rough; but when it was fine weather I do not think that they would. I think that fact alone shows the great advantage of the compulsory system of pilotage, because the men are able to devote the fine days of the summer to going and improving their knowledge of the coast which they do. The pilots go periodically to examine the coast from Whitehaven to Holyhead; I think that is a very great advantage which the men would not be apt to do if they had to do it at their own special cost.

3488. You say that, generally speaking, in rough weather a shipowner or a shipmaster would take a pilot; just now you stated that your fear was that pilots might not be induced under the system of non-compulsory pilotage to keep the sea in bad weather?—Yes.

3489. If, in your opinion, a shipowner would always take a pilot in bad weather, do not you think that would be the time when the pilot would be there to look out for him?—Yes, if you paid him sufficiently.

3490. It is assumed that the pilot may be paid for his services upon such a rate as would induce him to continue in his profession; upon what grounds do you found your belief that there is such a want of enterprise or want of competition amongst that class of seafaring men in the Mersey that they should abstain from pursuing their profession of pilots there under the voluntary system when they are found to do it in other places?—I think, so far as the Mersey is concerned, it requires a long apprenticeship to fit a man thoroughly for his duty, and, unless there is some certainty as to the payment he is likely to receive, he will be deterred from entering upon it as a profession.

3491. And you think the certainty which now exists, that the shipowners will always take a pilot in bad weather, would not of itself be sufficient to rear up and train an efficient staff of pilots?—I do not think it would.

3492. Mr. *Malcolm.*] Do you know anything of the Bristol Channel?—No, I do not.

3493. There is no use asking you whether you think there is any comparison between the Bristol Channel and the Mersey?—I have heard that there is a great rise and fall of the tide there.

3494. Do you know the Clyde at all?—I do not know much about it.

3495. Mr. *Gourley.*] What are the functions

Mr. *T. R. Shallcross.*

29 April 1870.

of the Shipowners' Association of Liverpool?—They look after all matters affecting the general interests of the shipowners.

3496. Are they generally elected by the shipowners?—They are elected by the members of the association.

3497. How many members have you in the association?—About 60 probably.

3498. That is a small number compared with the large number of shipowners you have in Liverpool?—I do not know how many shipowners there are in Liverpool, but 60 shipowners represent a large number of the managing owners of vessels, and it is the managing owners of vessels who are members of the association.

3499. Would you consider that the association generally represents the shipping interest of Liverpool?—I am quite sure that the association would represent the opinion of the shipowners at large.

3500. And of the steam shipowners as well?—No.

3501. Have the steam shipowners an association of their own?—Yes, independently of the sailing shipowners' association.

3502. You say that you consider it much safer to have vessels placed in the charge of pilots passing in and out of the Mersey, than to leave them without; are you aware that some of the Liverpool shipowners have compromised the amount of compulsory pilotage by paying a particular sum, in order to be rid of the obligation to take the Liverpool pilots, and that they prefer placing their ships in the charge of their own captains?—I do not know of such compromises; I know that there are coasting steamers which go in and out without pilots.

3503. Are those vessels navigated as safely as the vessels carrying pilots?—They are so often in the port that their masters may become aware of the changes of the channels they frequent. I do not know whether they take pilots in circumstances of danger; I think it is very likely that they do, but as long as it is fine weather they know their way about the place.

3504. When do you consider the navigation dangerous?—When it is foggy it is very dangerous; and it is very dangerous when there is a heavy sea on the bar.

3505. Is it not possible that the captains of the steamers to which you have alluded may be quite as able to navigate the vessels in and out as the pilots?—Yes, I think it is very likely they are; but there is this difference, that a man coming from Glasgow to Liverpool in a steamer would always be in one course; supposing that man was driven down to Holyhead, he might find himself in a fix if he had to approach the port of Liverpool from that point.

3506. Sailing vessels are generally under the charge of steam tugs, are they not?—Not always.

3507. But, as a rule, they are, are they not?—They are frequently in the charge of steam tugs.

3508. When they are in charge of steam tugs cannot they make as straight a course as a steamer can?—No doubt; but the breaking of a hawser is very important; that is an event which happens in rough weather, when the necessity for a pilot is most obvious. That would be the very time when a hawser would break, and leave the ship alone to drift.

3509. Are the vessels tugged with one hawser, or do they attach springs to their hawsers?—They are usually tugged with one hawser.

3510. Do you think it safe navigation to have a vessel tugged with one hawser?—In Liverpool they think so.

3511. Nautical men do not think so, do they?—Nautical men do it.

3512. You said, in answer to a question, that one of your captains abstained from taking his vessel to sea because the pilot declined to proceed, and that, in consequence, you found that the captain had acted prudently; do not you think that if there were no pilots, or if the pilot system was a voluntary system, and you were not compelled to carry pilots, your captain would have exercised an equal amount of discretion?—I say, supposing a man had chosen, for fear of disobliging his owner, to decline to take a pilot, he might have gone to sea, and the consequence might have been the wreck of the vessel, because he would not know the state of the bar, which these men know from long experience.

3513. Does the bar alter every day?—It alters very frequently; there is not a dock wall made in Liverpool that does not alter the course of the channels.

3514. The witness who was examined before yourself, the Chairman of the Underwriters' Association, said that the navigation was made easy in consequence of the good system of buoying?—There is no doubt of that; it is the constant watch that is kept upon the buoys, so that when the channel alters, the buoys are shifted, which makes it safe to come in and out with the assistance of the buoys.

3515. If there were no pilots, would you still exercise supervision over the buoys?—The Mersey Dock and Harbour Board would do that part of the business; at the same time every change of the buoys is known to the pilots.

3516. It must be necessary for the good of the port that you should have a proper supervision over the buoys in order to prevent accidents to strangers who frequent your port?—Yes, but you could not send word to a man coming from Calcutta that the channels had altered, if you had no pilots to meet him.

3517. The buoys are always marked down upon the chart, and as you never change the colour of the buoys, the captain would be able to find his way into port with the chart, and with the assistance of the lead, would not he?—I am not a sufficient navigator myself to say what can be done by skilful men.

3518. With a steam tug he could find his way?—A steam tug might take him in, but it would not be safe for the captain himself to try.

3519. Are not the captains of steam tugs accurately informed of the channels approaching Liverpool?—I think it would be very dangerous to place a shipowner in the power of any body of men who make part of their dividends from salvage.

3520. Are you of opinion that owners should be compelled to carry pilots, and at the same time be responsible for the acts of the pilots?—I do not think so.

3521. In the event of the abolition of compulsory pilotage, and the owner carrying a pilot, what is your opinion as to the responsibility which ought to attach to the pilot?—I think that if, from the mistake of a pilot, an accident happens, the owner should be free from responsibility. At the same time, if the Legislature says that the immunity

immunity which at present exists should be withdrawn from them, the shipowners of Liverpool think that compulsory pilotage is better with that withdrawal than without it.

3522. Do you mean to say that the shipowners of Liverpool are willing to take upon themselves the responsibility arising from the negligence of their own servants who command their property?—The shipowners of Liverpool are not satisfied to do it; at the same time if it is forced upon them they cannot but accept it, but they consider that compulsory pilotage is most desirable.

3523. I believe you said you knew something of both the Tyne and the Wear, and that there it is quite possible to navigate the ships by taking a pilot at the harbour's mouth?—What I said was that it was not difficult to give a ship the necessary directions from the mouth of the harbour.

3524. What do you mean by saying that it was not difficult to give a ship the necessary directions from the mouth of the harbour; do you mean simply for passing out of the harbour, as you would mean for passing out of one of your docks in Liverpool, or do you mean for passing out to the sea altogether?—I mean passing out seaward.

3525. You think there are no dangers beyond the harbour's mouth?—Beyond the harbour's mouth there are no great dangers.

3526. Are you not aware that there is a very great danger inside the harbour's mouth at the Tyne?—There may be that, but proper assistance in such case is quite compatible with a pilot living on shore, without standing outside, for days together, waiting for ships to come in.

3527. Do you know cases where pilots remain out for days together, and be found 50 or 60 miles northwards along the coast?—That is to pick up coast pilotage.

3528. It is the coasting trade. I supposed coasting ships are quite as valuable as any other?—There is no pilotage for the open channel, as far as I know, between Ireland and England. I am not speaking of sea-going pilots at all.

3529. You must supply sea-going pilots to take the ships from the harbour and to take the ships out to sea as well, must not you?—Many ships take pilots down to the Downs, and navigate them through the North Sea altogether.

3530. They are a different class altogether to those pilots that take the ships to sea from the harbour. Do you know anything of the dangers of the coast near to the harbour mouths of the Tyne and the Wear?—I know that they are comparatively easy of approach.

3531. Are you not aware that within a mile of the harbour's mouth at Sunderland there is one of the most dangerous rocks upon the coast?—That very much carries out what I said before, that if the dangers are quite in the immediate neighbourhood of the port, it does not seem difficult to give, from the port itself, almost all the directions that are needed.

3532. Now with regard to Liverpool, where does your danger begin?—Sixty miles from the port.

3533. They begin at your bar, do they not?—They begin long before you get to the bar, there are all those banks long before you get to the bar; I have seen ships on the East Hoyle Bank.

3534. You never find captains running so close to those banks any more than they run close to any banks along the coast generally?—Captain Ballantine's evidence showed the danger of those banks with a westerly wind; he is thoroughly acquainted with them.

3535. There is always a certain amount of danger if a ship runs too near the shore when the wind is blowing on the shore from the sea?—Yes.

3536. The same rule would apply to any other part of the coast if the ship approaches too near the shore?—Yes.

3537. What do you consider all prudent captains should do, coming near the coast; would you think they should run themselves into danger or keep the ship out to sea?—They would keep the ship out to sea as far as they could.

3538. Is that the general rule in Liverpool?—The "Royal Charter" with all her efforts to keep at sea could not do so on a particular occasion, and she was blown upon the shore.

3539. That was an extraordinary gale of wind?—Extraordinary gales of wind are constantly occurring round about the mouth of the Mersey.

3540. Do you consider that the captain of a ship would be quite as capable of keeping his ship in safety out at sea as if she was in charge of a pilot?—I do not think he would, he would not have the same confidence in his knowledge as a pilot would.

3541. You would trust the captains in more difficult waters than the Liverpool waters; you would trust them in the Chinese waters, and leave them entirely at the guidance of their charts without pilots?—Yes.

3542. What is the difference between the difficult waters of China, and the difficult waters in the neighbourhood of Liverpool?—I am not a sufficient navigator to give the difference, but there is a very great difference.

3543. Mr. *Cave.*] Are there any exceptions of compulsory pilotage in the port of Liverpool?—I believe there are for small vessels under 100 tons.

3544. There are none for vessels with reference to the ports from whence they come or what their cargo may be, such as there are in the Port of London?—I think all foreign-going vessels are liable to pilotage.

3545. I believe you stated that the shipowners would prefer compulsory pilotage to be kept up, even though they were made liable for the acts of a compulsory pilot?—Quite so.

3546. But you think that is unjust?—I do.

3547. And also that it is unjust that the shipowners should be made liable for the act of a voluntary pilot?—Quite so.

3548. That being the case, upon whom would you shift the responsibility?—I think that the shipowner having complied with every requisition for the efficient manning of his vessel, and having sent her to sea in a proper and efficient manner, his liability as a shipowner ought to cease.

3549. Upon whom would you throw any loss that might occur?—I look upon it as a misfortune of the sea that those who suffer the loss must bear it.

3550. Your argument was that a shipowner having little control over the act of the pilot, ought not to be subjected to the loss?—Yes.

3551. Would it not be more unjust that the shipper of the cargo, who had still less voice in the employment of the pilot, should suffer the loss?—It is an adventure of the sea in which the owner of the cargo takes his risk with the owner of the vessel; he selects his vessel, and he is just

Mr. *T. R. Shallcross.*

29 April 1870.

just bound by the same rule as anybody else would be.

3552. Is it not a matter of fact that the shipowners might protect themselves against all these casualties by insuring?—Some of them.

3553. Therefore, after all, the question is rather a theoretical one than a practical one?—With reference to passengers, very few shipowners protect themselves against that liability, but with reference to goods the policies generally cover it.

3554. So that with reference to ordinary vessels, excluding passenger vessels, it would not make much practical difference to the shipowners whether the law was altered with reference to the liability of the pilot or not?—Precisely; I think the existing law gives rise to a great deal of unnecessary litigation.

3555. Under all circumstances, you are dissatisfied with that state of the law which makes the pilot, and the pilot only, liable for loss?—No, I am not dissatisfied with it; I am perfectly satisfied to let it remain as it is.

3556. I thought you said that it gave rise to litigation in many instances?—It is the liability of the shipowner that gives rise to litigation, not the liability of the pilot.

3557. Is it not the fact that the law with reference to the liability of the pilot is very doubtful?—I have heard it said so; there has been a decision lately making the pilot liable.

3558. I believe in foreign countries the law is generally the other way?—I am not aware of that.

Tuesday, 3rd May 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. J. Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. Pemberton.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair

Mr. William James Lamport, called in; and Examined.

Mr. *W. J. Lamport.*
3 May 1870.

3559. Mr. *Graves.*] I believe you are largely interested in steam shipping at Liverpool?—My partner and I are managing owners of between 30,000 and 31,000 tons of steam shipping.

3560. Are you a member of the Steam Ship Association of Liverpool?—I am.

3561. Are you well acquainted with the system of pilotage at Liverpool?—I am for all practical purposes connected with my own trade.

3562. And of course you are aware that it is now compulsory upon vessels to take pilots or to pay pilotage?—Yes.

3563. Generally speaking, are you satisfied with the efficiency of the present pilot service of the port?—The service is very well conducted indeed, and gives great satisfaction.

3564. Are you in favour of retaining the present system?—No system is so perfect that it cannot be amended. At present I am satisfied with the system, although there are points upon which I venture to think I could suggest amendments.

3565. Do you object to the system proposed by the present Bill?—I do.

3566. Will you state your grounds for that objection?—The point upon which I quarrel with the Bill is that, if the Bill passes, the payment of pilotage is no longer to be made compulsory. Perhaps I may be allowed to explain, that if the Merchant Shipping Code had been left as it was printed, without the addition of this separate Bill, I should have had very little objection to make to any of the improvements embodied in the code.

3567. The principle of that Bill is to leave it optional to take a pilot, but compulsory to pay for one, or to contribute towards the expense of maintaining the pilotage service?—That is the principle of the code.

3568. Do you regard the station system, which is one of the features of the Liverpool pilotage, as being advantageous to the navigation?—I consider it essential for this reason: it is important that the master of every inward-bound ship should know where he is to look for a pilot.

3569. Do you think, under the system proposed by the Bill, that any effective means could be found to compel pilots to be on their stations in all weathers?—The attempt might be made, but I do not think that it would be permanently effectual without the compulsory payment of pilotage.

3570. Do you form that opinion from fear that the control of the pilotage authority would be insufficient, or that the moral obligation which exists now is a stronger obligation than the control of the local authority?—I consider that the control of the local authority would not be effectual without the moral obligation of the present system.

3571. Would you define what you consider that moral obligation to be?—I consider that the effect of the compulsory payment of pilotage on the mind of the pilot is this: first, he says to himself, "as an honest man, I must fulfil my contract. There is an implied contract between me and the captain of that inward-bound ship that I shall be there to meet him, because the captain has agreed to pay me in any case." I consider, also, that the effect of the present system is to make the pilot feel as though he were a public officer, and to give him, in point of fact, something of the feeling of a soldier; something of the duty of not flinching from his post; that as he has taken upon himself the obligation of being there to meet the man who has already agreed to pay him for being there, he looks upon himself as bound to be there. If you do away with the compulsory payment of pilotage, although it may seem a small thing at first sight, I think the effect would be, instead of giving the pilot the feeling of a soldier, you will give him the feeling of a cabman. You may license him; you may restrict him to the exaction of a maximum rate or charge for the piloting, but you cannot, in the case of the cabman, and you cannot in the case of a pilot, compel him to be out in all weathers for the chance of earning a fee. I think a pilot, under the proposed system, will feel that it is optional with himself whether he chooses to risk his life or not for the sake of earning a fee, and he will no longer look upon it as a matter of personal duty.

Mr. W. J. Lamport.

3 May 1870.

3572. You fear that under an optional system on the part of the shipmaster to take a pilot or not, there is a danger of the *esprit de corps*, which exists at present, being destroyed?—I must explain that. I am not in favour of forcing a pilot upon a master whether he will or no, but I am in favour of a system that shall supply a sufficient number of pilots to be ready to pilot the ships that are desirous of employing them, and in return, that you shall tax all inward-bound ships coming to Liverpool (for I am only speaking of Liverpool) for the support of that pilotage system.

3573. As I understand, you regard the present obligation as almost amounting to a contract between both the shipowner and the pilot?—An implied contract.

3574. And that, under a one-sided system of option, it would probably cease to exist in its moral obligations?—There would be no contract between the pilot and the shipmaster.

3575. And the pilot would then probably feel himself more at liberty to consult his own safety and his own convenience?—He would then feel himself more at liberty to consult his own safety, his own convenience, and comfort.

3576. Do you consider, from that circumstance, that he would become more remiss in his duty at times?—Undoubtedly.

3577. Probably in your mind there would be some analogy between the crew of a life-boat and the pilot service?—I never can conceive that the crew of a life-boat would go out in a storm to save men from a wreck merely for the sovereign a-piece that they are to get afterwards. They go out because it is their duty to go. They have brought themselves up by association into a feeling of duty which compels them to go out.

3578. In point of fact, you regard the pilot service in dangerous navigation as being maintained for the good of the whole community; and you think it not unreasonable that the whole community should contribute to its support?—If by the community you mean the shipping interests frequenting that particular port, I do.

3579. Do your own vessels invariably take pilots inwards and outwards?—Always.

3580. Probably, under any system, it would continue to be so?—If we could get them, but under the proposed system we should have great fear of not always finding them when the ships come in.

3581. Is it then on account of the danger of the navigation, or from a desire to render yourself exempt from the liability that attaches to casualty under the present law, that you so constantly take pilots?—It is to avoid the danger of the navigation; with regard to the immunity, I hold with the provision of the code, that the immunity of the owners of the ships, for the fault of the pilots, should be done away with.

3582. You are dissatisfied with the anomalies of the present state of things?—Yes.

3583. And you desire to have them done away with?—Yes.

3584. Can you form any opinion at all as to the extent, under an optional system, to which shipowners would take advantage of a free system?—No, I cannot, I do not think anyone can; my impression is, that in very fine weather and smooth water, many of the small vessels will trust, not to themselves, not to their own masters, but they will be content with taking a steam-tug, which will tow them in between the buoys, and in that way they will attempt to avoid the expense of a pilot; I consider it would be very dangerous and would argue some recklessness, something beyond mere penny wisdom upon the part of those masters, as far as Liverpool is concerned.

3585. It is not the invariable practice in Liverpool with vessels of any size to take tug-boats in and out? — A great many do; I think the majority take tug-boats, but not the majority of the smaller vessels up to 400 or 500 tons. I think nearly all the ships approaching 1,000 tons take tug-boats, though I have seen them coming in under full sail.

3586. Would you regard a vessel towing up without a pilot on board of her as being in a critical position in the event of sudden squalls, or from the tow rope parting?—Yes; and not only that; it is a very common thing for a tug boat to throw the vessel off for her own safety; then the vessel would be helpless.

3587. Thereby not only rendering themselves liable to loss, but also obstructing the channel for those vessels that had pilots?—That is so.

3588. In a crowded thoroughfare like the Mersey, do you place much stress upon having very stringent regulations as to vessels passing each other?—I do.

3589. As a matter of harbour regulations, do you think it has a tendency towards making a vessel more safe that a pilot should be on board every ship?—Yes; I think that would be the tendency.

3590. Are there no circumstances under which you would let a master pilot his own vessel?—I would leave the law as it is at present; any master may be examined, and, if he is found competent, our dock board may give him a license to pilot his own ship. I am not familiar with the local Act of Parliament, but I think it is, "any ship belonging to the same owner." I see no objection whatever to licensing masters who are competent to bring in their own ships, and the ships of the owners who wish them to do so. I would not do it myself.

3591. It has been suggested that a perfectly free system of pilotage might answer in Liverpool; have you at all considered that question?—I cannot say that I have considered sufficiently what the effect of a perfectly free system would be; a great deal might be said in favour of it, but of course you will not expect me to suppose that the proposed change in the law is to go to a perfectly free system; it is anything but a free system. The Bill does not propose a free system; nor does Mr. Farrer in his memorandum advocate a free system.

3592. Do you see any middle course by which a perfectly free system can be maintained as lying between the principle of perfect compulsion and perfect freedom?—Perfect compulsion to pay, I think, is the only permanent alternative of perfect freedom. I do not think that such a system as the Bill proposes to establish will last; it may be carried through Parliament, but you must either leave us perfectly free to make our own arrangements and employ our own pilots, or you must compel us all to be taxed to maintain an establishment something like the present system.

3593. To which of the two principles do you give a decided preference?—The present one, as having borne the test of experience.

3594. You have said that there are alterations that you would desire to see effected in the present

sent system; could you name any; has any struck your mind?—Members of our dock board are present, and perhaps they will excuse me if I say in answer to your question, that I do not think they go sufficiently fast with the times. On the other hand, I do not blame them for that, because they have not been pressed by the ship-owning interests of Liverpool to make any very important changes in the pilotage system. The fact is that our system has been so generally good, and we are all so busy about our own business, that we have been satisfied to go on with it. Now that the case has been started, I do think if we lay our heads together, and are not interfered with by the Legislature—if we are allowed to go on as at present, we shall adopt a great many improvements.

3595. Are there any salient points with reference to change present to your mind at this moment?—I think that the board are wrong not to allow some of the pilot boats to go down the Channel as far as Tuskar, for example. I think arrangements might be made by which, still maintaining all the present defences, scouts should be sent out to assist vessels further down Channel, because I have no doubt whatever that many masters frequenting the Channel for the first time, or vessels very seldom frequenting the Channel, would find very great advantage, and many losses would be avoided by a pilot meeting a vessel down at Tuskar.

3596. You would probably extend the license to pilots to be Channel pilots?—I would; but at the same time you will understand me, that I would not take away any of the present pilot stations. I would maintain them; of course the employment of a pilot for the Channel, as well as for the entrances to the port, would imply a higher rate of charge; and I would not compel any inward-bound ship to employ one of these outlying pilots, or to pay for them, or to pay anything more than the ordinary charge of coming into the port.

3597. You have already stated your desire, that the immunity of the shipowners should be done away with; have you any special reasons for coming to that conclusion?—I have some very serious special reasons, one of which is, the heavy losses that have been sustained by my own firm and by our co-owners, from the consequences of that system of immunity.

3598. *Chairman.*] You mean where your vessels have come into collision with others?—Not only collision, but all sorts of accidents that we can trace to the theory that the pilot is to supersede the captain in the management of the ship; that he is not to be merely an assistant to give the captain the benefit of his local knowledge of currents, of tides, of sand banks and rocks, but that he shall absolutely take the command and charge of the ship out of the captain's hands. Now the ships belonging to my firm are chiefly long, narrow screw steamers, and they require careful handling, and the man who best knows how to handle one of these boats is the captain of the ship; yet the operation of the present law is to take the charge of that ship out of the captain's hands, out of the hands of the man who does understand it, and to put the charge into the hands of the man who does not understand it. Now, I can give instances in which we have suffered very grievously from that.

3599. Mr. *Graves.*] Will you kindly give us an instance?—Not very long ago one of our steamers ran against the New Brighton stage, which caused damage, for which we had to pay 4,600 *l.*; the ship was outward bound with a pilot on board. Both our captain and we ourselves at the time were under the impression that the employment of a pilot under those circumstances was compulsory as to payment; it turned out afterwards that it was not so, that it was optional, because our steamer was bound from dock to anchorage in the river, not going to sea at once, and it appears now that by a defect in the Dock Act (on which Chief Baron Pollock animadverted most severely some years ago, but which our dock board have never set right), though it is compulsory to employ a pilot from anchorage to dock, it is not compulsory to employ a pilot from dock to anchorage; the effect, however, was, that our captain believed the charge of the ship was taken out of the captain's hands. When we heard of the accident and investigated the circumstances under which it occurred, the very first question I myself asked the captain was, "Captain, why did not you anchor?" "Oh!" he said, "it was just what I meant to do; I had ordered everything; I had got everything ready to anchor, and I suggested it to the pilot, but he said, no, it is not necessary;" and when I said "You ought to have done it," "Well," he said, "I dare not; I did not like to interfere with the pilot:" and the consequence was that the damage was done. In another case that we brought lately before the dock board, the steamer was an inward-bound steamer, and the pilot really did not know how to handle her, and he ran her against the pier-head. The captain warned him that that would be the result, but he refused to listen to the captain's suggestion. We were put to a very serious expense in the damage done to the ship. We represented it to the dock board, and the only result has been to tell the pilot not to do it again. Only a month or two ago we had a collision in the Thames, where the captain of our ship assured us that the collision would not have occurred if he had either had no pilot on board, or had not believed himself to be under the direction of the pilot. We had a collision some time ago in the Roads of Flushing, at the mouth of the Scheldt; that was a collision involving a point of international law, and it excited great attention. On this occasion the collision arose from the ignorance of the pilot that the ship was a difficult one to turn; that is, not answering her helm quickly. I myself put the question to the captain, "Why did not you warn the pilot that the ship did not answer her helm quickly?" He said, "I did, but I do not think he understood me." Now, if our captain had been in virtual charge of that ship, that collision would not have happened. It was a very hard case upon the unoffending vessel lying to anchor, which was run into by our steamer, and it was very hard upon us also, because though we were acquitted on the ground that it was the pilot's fault, and that the pilotage was compulsory, yet we had a lawsuit extending over nearly three years, and very heavy costs to pay, for the Judge of the Admiralty Court thought it right that we should pay our own costs, considering the nature of our defence. I have given you four cases, but I could give you more.

3600. You have apparently brought your mind to the conclusion that the fear of incurring liability frequently prevents a master from interfering when

Mr. *W. J. Lamport.*

3 May 1870.

Mr. *W. J. Lamport.*

3 May 1870.

when he sees the pilot doing an act which he knows to be an erroneous one?—Yes; and in addition to that, the master is influenced by the fact that he considers it to be the law that the pilot shall take the charge of the ship out of the hands of the master. Now, I am perfectly aware that that is not the statute law, but it is judge-made law; it has been laid down over and over again by Dr. Lushington in the Admiralty Court that it is a most improper thing for a master to interfere at all with a pilot except in the case of the most absolute emergency (this is one of the instances Dr. Lushington gives), such as the case of a pilot being drunk; but in answer to your question, I would say that we have made up our minds, be the result of legislation what it may, that our captains shall never have the charge of their ships taken out of their own hands by the pilots, or by anybody else, and that we will run all the consequences of that decision.

3601. Therefore, you naturally desire that the law shall be altered in the direction of your own practical experience?—Yes, and also that if we have damage done to us by another ship, we should not suffer then as we now do from the immunity.

3602. So that between shipowner and shipowner, it really makes very little difference whether the law gives immunity, or otherwise?—The man who is most in fault will suffer most, and the man who is least in fault will suffer least, if you do away with the immunity.

3603. Where there is immunity to-day, it may be the contrary to-morrow?—Yes.

3604. Do you see any difficulty at all in determining the relations between the pilot and the master of the ship, supposing your view carried oet?—None whatever.

3605. How would you define the duties of a pilot?—I would supply the master with a pilot, and say, "Now make any use you please of that pilot."

3606. You would make him his adviser, in fact; is that what you mean?—Yes, I have seen the expression made use of by somebody, that he would treat the pilot as a living chart; I would use the pilot as I use a chart.

3607. It has been suggested here that there is something inconsistent in removing that immunity, and at the same time obliging a captain to take a pilot, not of his own free will; do you attach much importance yourself to that argument?—In the way you have just expressed it, I should say that it would involve a hardship, if the captain is compelled to employ a pilot and put a ship under the charge of a pilot, and he has no choice as to the individual pilot, then it would be a great hardship to make either the captain or owner responsible for the default of the pilot; but if it is simply this, that all ships frequenting the port are bound to contribute towards the maintenance of the pilotage system of the port, then there would be no more hardship than there is in a great many other parallel cases. I will give you one: I pay very heavy rates towards the police system of Liverpool; supposing I say I do not want, under any circumstances, to be assisted by the police, I will carry a revolver and protect myself, I am, nevertheless, compelled to be taxed, as others are, for the maintenance of the police system; or if a captain says, "I am perfectly acquainted with the Channel; I do not want a lighthouse; I will not look at it;" and he positively makes no use of the lighthouse, you do not exempt him from payment towards the maintenance of the lighthouse. These are cases in which the individual is bound to pay, as a member of a general body, for the good of the general body.

3608. Do you regard the compulsion to pay, with the option to take a pilot, as really having no bearing whatever upon the question of forcing the pilot upon a master against his will?—I do; a pilot is not forced upon a master; it is simply this, that the master or the owner of the ship is taxed towards the maintenance of the pilotage system, and in return for that tax there is a pilot offered to him to be employed if he wants him. But let me say under the present law, not statute, but again judge-made law, the owner of the ship, to my mind, would be in a very painful position if the ship were lost, and he had a pilot offered to him and he had refused to take him. I believe he would be liable to the owner of the cargo for the value of the cargo lost, and that he would also be unable to recover the value of his ship from his own underwriters, provided it could be shown that the notorious and the well-understood custom of the port was to employ a pilot. I think that both the shipper of the cargo and the underwriters on the ship would have an implied right to assume that, in the absence of any stipulation to the contrary, the custom would be observed.

3609. *Chairman.*] Do you know the law of insurance?—It has been so laid down. I cannot quote any cases, as I am not a lawyer.

3610. Mr. *Graves.*] I presume in practice there would be great difficulty in proving what is the custom, under the large system of exemptions which have been introduced under the Merchant Shipping Act?—As regards Liverpool there would be no difficulty whatever, because it could be decidedly shown that the ordinary mercantile custom is to employ a pilot; but your remark would be perfectly just to my mind in the case of many other ports where the dangers are not so great, and where perhaps not one ship in two employs a pilot.

3611. Supposing that the law which regards a vessel leaving a port, being unseaworthy, without a pilot where the practice is to take a pilot, was well known, would not that law be sufficient to induce shipowners or masters under the voluntary system to take pilots?—I am not sure that it would. Many ships are not insured at all. For example, our ships are only insured beyond a certain amount, and we should do as we pleased. Again, the tendency of the present legislation, with regard to the law of shipping, is to throw the carrying trade into the hands of large companies. In fact, to do for the ocean what has already been done for the land by the railway system; the carrying trade is becoming a system of large monopolies, and under those monopolies a steam company can exact the terms of its own bill of lading. And as a matter of fact, most of the witnesses connected with steam companies, who may be examined before this Committee, will say that in their form of bill of lading which they require the shippers to use, there is a clause "Liberty to sail with or without pilots." The fact is, that the large steam ship owners and steam ship companies can, under any circumstances, protect themselves, and be very independent of legislation; but the mischief will be more felt by the smaller shipowners—by the smaller

smaller steam shipowners, and by the owners of sailing ships.

3612. Have you at all considered the power at present vested in the Board of Trade with regard to pilotage and pilotage authorities?—It appears to me that the Board of Trade can, at present, practically, do anything they please towards removing anomalies or preventing tyrannies on the part of local pilotage authorities. The present Acts of Parliament give them full power over those things.

3613. Will you read the particular section of the Act which warrants you in making that statement?—The Merchant Shipping Amendment Act of 1862, in clause 39, after reciting that it is expedient that increased facilities should be giving for effecting the objects contemplated by the said recited enactments, and for further amending the law concerning pilotage, and that in so doing means should be afforded for paying due regard to existing interests, and to the circumstances of particular cases, enacts, among other things, that the Board of Trade may do, by provisional order, or that it shall have power "to exempt the masters and owners of all ships, or of any classes of ships, from being obliged to employ pilots in any pilotage district, or in any part of any pilotage district, as from being obliged to pay for pilots when not employing them in any district, or in any part of any pilotage district, and to annex any terms and conditions to such exemptions."

3614. So that the Board of Trade appear to have all the power they seek for under this Bill, so far as pilotage is concerned?—Yes; it appears that the Board of Trade can do what they please. I do not exactly know the effect of the words "provisional order."

3615. *Chairman.*] It must be brought before Parliament in the shape of a Bill?—Afterwards.

3616. And it therefore becomes a sort of a local Bill instead of a general Bill?—Yes.

3617. Mr. *Graves.*] Subject to that provisional order, the Board of Trade now possesses the power of obliging any pilotage district to abolish the compulsory pilotage system?—Yes, by provisional order.

3618. *Chairman.*] That is, they may bring in a local Bill for the purpose before Parliament; that is the meaning of the provisional order, is it not?—That is for you to say; I do not know the meaning of "provisional order."

3619. Mr. *Graves.*] Have you at all considered any general principle that may be laid down for the management of the pilotage system of the country generally, apart from one stern line, either in favour of abolition or in favour of compulsion?—My own impression is very strong against attempting anything like a doctrinaire uniformity in this matter. I would leave every port to manage its own affairs according to the particular requirements of the port.

3620. So that wherever there may be a properly constituted pilotage authority representing the commerce of the port, you would leave to that body the freedom of electing what principle was best adapted for the navigation of each particular port?—I would leave the election of the principle to the local pilotage authority, but I would make the details subject to the supervision of the Board of Trade.

3621. By an Order in Council, or would you leave it freely in the hands of the Board of Trade?—If we could be quite sure that the Board of Trade would remain exactly as it is now, we might be content with it; but in former times there have been so many squabbles between the Board of Trade and the different bodies in Liverpool that we should prefer, on the whole, the necessity for an Order in Council.

3622. I believe you were one of the very early advocates of freedom of commerce, and especially freedom with regard to maritime commerce?—I advocated free trade in shipping before the navigation laws were repealed, so that I think that is a sufficient answer to your question.

3623. Do you look upon the Bill now before this Committee as being at all a fair illustration of your idea of freedom?—Speaking as a free-trader, I should say that the promoters of this present Bill are false to the principles of free trade.

3624. In what respect?—By free trade in pilotage, I understand that we should be allowed to have the choice of our own pilots, to pay them what we agree, to bargain with them as to what we are to pay them, and to be under the control of no central or local authority whatever; that is what I understand by free trade. Mr. Farrer, in his memorandum on Compulsory Pilotage, which memorandum has made the Liverpool shipowners so alive to the fact of their being ill-used people, which they did not know before, admits that free trade cannot be carried out in respect of pilotage; that you must license pilots, and that you must not only license them, but you must dictate the maximum charge that they are allowed to exact for their services. The Bill itself goes further still. It says, "If you have too many pilots you must reduce their number." Now, I do not think that any of those points are consistent with the principles of free trade. I do not say that they may not be expedient. Mr. Farrer may be right in saying that free trade is not applicable to this subject, but at the same time if you ask me whether the proposed system is a system of free trade, I must very respectfully demur to the statement.

3625. Do you consider free bargains essential to free trade in pilotage?—To free trade, but they would be most inconvenient and dangerous.

3626. Then you would also be unable to restrict the pilots from salvage, under the system of free trade?—Under free trade, not only must the shipowner be at liberty to employ any pilot or have none at all, but the pilot must be at liberty to make his own charge for the service.

3627. And you would probably find it hard to prevent him holding a share in the tug-boat, as is the case at Liverpool now?—I hope they do not do it, but there are reports of that kind even at present. At present they are not allowed to do it, but under the free trade system you could not prevent it.

3628. You have not been a shipowner so long, I suppose, without finding out by this time that there are a great many obligations placed upon the shipowners by the Legislature, and a great many compulsions?—When I first began to understand the meaning of the Bill for abolishing compulsory pilotage, the feeling in my mind was just this: The Board of Trade heap upon us mountains of compulsion, with the 800 clauses in this Consolidated Act of Parliament; and it is a little too much for them to imagine that they are relieving us by taking away this little mole hill of compulsory payment of pilotage.

Mr. *W. J. Lamport.*

3 May 1870.

3629. You do not regard it as any great concession made to the ship-owning interest in Liverpool?—Some of us are opposed to a change in the law.

3630. Most of the obligations present to your mind are rather in the direction of producing safeguards and security to life and property, looking at it from the light of the Board of Trade?—That is the good intention of Parliament. I believe, as a rule, the effect is just the opposite of what is intended.

3631. Are you of opinion that more freedom and more responsibility upon the part of shipowners would conduce to a better state of things?—I think the effect of the legislation which began in 1854 has been exceedingly mischievous.

3632. Is it not a little inconsistent with your desire to be free from those obligations that you still wish that this obligation of pilotage should be placed upon you?—If I wished to be free from every obligation whatever, except my own will, it would be inconsistent; that is not the position that I take up.

3633. Do you think, in the interest of life and property, the obligation of shipowners to take pilots in dangerous navigations, is a fair and reasonable obligation for the legislation to place upon shipowners?—Yes, to contribute to the funds out of which the pilotage system is supported.

3634. *Chairman.*] But not necessarily to employ the pilots?—No.

3635. Mr. *Stevenson.*] Would you apply that obligation equally to all vessels, whatever their size or destination?—I should be glad to have the present system left as it is. At present vessels, under 100 tons, frequenting Liverpool, are not under the obligation to take pilots. Masters may be examined with a view to their being allowed to pilot their own ships and the ships of the same owners. The present system, in all its essential features, seems to me to work very well, and I should like it, if it is altered at all, to be altered with a very tender hand.

3636. Upon what principle would you defend any exemption whatever, consistently with the principle you have laid down, that there should be a pilot on board every ship for the benefit of those who did take pilots?—No doubt; I admit at once that there is a little inconsistency there, if you are to have a rough and ready principle. If you are to have a principle which is to apply to every case whatever, then there would be an inconsistency in allowing the smallest yacht to escape, and if I were in a position to lay down a principle, I should myself make every vessel contribute to some small extent; every vessel to which, under any circumstances whatever, a pilot might be useful, I should make contribute to some small extent; but, at the same time, although it is my own opinion, that every vessel frequenting the port of Liverpool ought to contribute something towards the pilotage fund, yet I have no desire to take away exemptions that at present exist, for I do not think that, practically, they are of much importance.

3637. I presume you do not approve of what you have described as free trade in pilotage?—No, I do not; I prefer the present system to perfect free trade. All I say is, that the arguments that may be used in favour of perfect free trade in pilotage are not applicable to the provisions of the proposed Bill.

3638. The proposed Bill contemplates the continuance of the pilotage system under all the regulations which at present exist?—Yes.

3639. With the difference in one single point as to pilotage being voluntary or compulsory?—Yes; perhaps you will allow me to remind you of the answer that I made to the honourable Chairman, I do not think that the system proposed by the present Bill, if enacted, will be permanent. I do not think it could be carried on, as proposed, without the compulsory payment of pilotage.

3640. Into what system would it resolve itself, do you think?—I think we should gravitate towards free trade with all its disadvantages; in fact, I should prefer free trade with all its disadvantages, to the system proposed by the present Bill.

3641. Has your attention been directed to any of the pilotage districts in the country, where there has always been voluntary pilotage, and where they have still been able to maintain a regulated system with apprentices, and examination, and the many safeguards which exist at Liverpool?—I do not know any other port very well.

3642. Do you consider that the continuance of the compulsory principle is the key-stone of the whole system which you have at Liverpool, of a well regulated and efficient service?—The compulsory tax, I consider, is absolutely essential to the continuance of the present system.

3643. And you think that if it is left optional to employ pilots, the system itself will crumble to pieces?—If it is left optional to contribute to the fund, out of which the pilotage system is supported, then I think the Liverpool system will gradually decay, and that we shall gravitate to perfect free trade with its many advantages and all its disadvantages.

3644. Would you give that opinion still, if you knew that in other districts where it has always been voluntary, that result has not been reached?—If the districts were like Liverpool, with 12 miles of sand banks, and with the necessity that we conceive ourselves to be under of having boats lying out 40 or 50 miles from the port; and not only that, but with the sand banks shifting even within a few months, so that a master who has been absent from the port six months finds the circumstances of the port different when he returns, with the buoys altered, the lightships altered, and in point of fact, all the marks by means of which he could enter the port changed; then I should say experience was better than theory, and that I had been wrong; but the whole gist of my argument is that Liverpool stands by itself, and ought to be taken out of the provisions of any removal or abolition of compulsory payment of pilotage.

3645. You consider that Liverpool stands by itself on account of its greater difficulty and danger?—And its peculiar danger.

3646. Will these exceptional features of the Liverpool case not tend to compel the employment of pilots independently of the law on the subject?—I am sorry I did not make myself understood before. They will tend to the employment of pilots when pilots offer themselves to be employed; but the fear that I have in my mind is, that the pilots will not be out on the stations in bad weather, when they ought to be out, and when under the present system they are out.

I gave my reasons for that at the very outset of my evidence.

3647. The worse the weather is, will not the certainty of employment be greater?—No; if all vessels take pilots when they can get them, there will be no more demand for pilots in bad weather than in good weather; and in point of fact, as I stated at the outset of my evidence, I think that few pilots would risk their lives when the mere question was the earning of a fee; they may be willing to risk their lives, as the life-boat men are, when there is an element of duty as a motive in addition to any other consideration.

3648. Then you think the moral tone of the pilots, making them zealous in the service, depends upon the compulsion on the shipowner?—I think there are two points; one is that at present the pilot looks upon himself as a public officer, which he would not be if it were a mere question of piloting a ship, and earning a fee; and in the second place, he feels himself bound by an *esprit de corps* to be on the spot to fulfil the implied contract already entered into between the pilot and the master of an inward-bound ship.

3649. Do you think that this high tone of moral obligation is the exclusive possession of the pilots in compulsory districts?—I say nothing about others; I should be very sorry to say so; I know nothing of pilots elsewhere.

3650. If your ideas of the moral constitution of pilots are correct, would you expect that in the free districts, there would be any such zealous discharge of their duties?—I know little of any other port but my own, and am therefore very unwilling to answer questions about other ports; but my own belief, subject to correction, is that Liverpool is a peculiar port, and that there is no port in the United Kingdom presenting the difficulties that Liverpool does, and exposing the pilots to the dangers that Liverpool does; of course I may be quite wrong as to that, but if so, my mistake arises from ignorance.

3651. Of course you have heard of the courageous behaviour of the sea pilots of the River Tyne in manning the lifeboat at the most dangerous times?—Yes.

3652. And they show that courage and devotion, notwithstanding that they are not under the compulsory system?—Our Mersey lifeboat men are as brave and fearless as any that are under the compulsory system.

3653. You speak of pilots being under the moral obligation of an implied contract at present, would not you give the captain any credit for feeling a similar moral obligation to take a pilot in good weather, in consideration of a pilot being there in bad weather also?—No; if you change the law, I think both will be equally free; the pilot will be under no moral obligation whatever, if the captain of the ship is not bound to pay him, and the captain is under no contract whatever; a contract requires two parties to it.

3654. Are you afraid that the moral responsibility of the pilots will deteriorate if the law is altered?—It will disappear; I do not consider that the pilots will be under any moral responsibility to be out in all weathers to meet the ships, if it is a mere question of earning a fee, which he may or may not earn; when I say moral responsibility, perhaps I should say moral obligation.

3655. At present the pilot's moral obligation suffers in the case of every exempted vessel?—I have already said that if you leave it to me, I should not exempt any vessel entirely, so far as Liverpool goes, but I have no desire whatever to interfere with the present exemptions.

3656. In the case of the pilotage board of Liverpool, adopting your suggestion of sanctioning the pilot boats going out as far as Tuskar, you could not, of course, extend the compulsory system there?—No.

3657. And there would be a line drawn in the pilotage district, on one side of which the pilotage was voluntary and on the other side compulsory?—Exactly; it would be so.

3658. Would not that lead to anomalies?—I think not.

3659. One of the objections to the present system in the Bristol Channel is, that they there get into difficulties on the question on which side of the boundary line between the two systems a vessel was?—I think the boundary line is well defined at present, and would remain so. My own notion is, that the pilots who wish to go down the Channel should be allowed to volunteer to do so, and that they should be allowed to charge a higher rate than the pilots who merely pilot the vessels from Point Lynas, or inside it, to the Mersey.

3660. But if so their consciences would be operated upon by the low motive of pecuniary gain in going long distances?—The distance is not the question; the master of a ship is competent as a rule to bring his ship up Channel, but the master of a ship is not competent as a rule to bring his ship into the port of Liverpool.

3661. What encouragement would a pilot have to go down to Tuskar?—His chance of higher pay, and the power of making a bargain with the master; and it would to that extent be a free system.

3662. Your theory of an implied contract as stimulating the pilot's conscientiousness would not apply between your present limit and Tuskar, would it?—No.

3663. Mr. *Brassey.*] Do you think that the fees at present paid to pilots in the Mersey are in any way excessive for the services rendered?—I was rather surprised to find the other day that the average remuneration of pilots is less than 200*l.* a year. Now, I think the services performed by our Liverpool pilots, considering that they are a very respectable class of men, are not extravagantly remunerated at 190*l.* a year, or something like it, which is their average remuneration.

3664. At the same time, is it not the case that the pilots sometimes pay for a share in the pilot vessels in excess of the value of the ship herself, and which they pay for the goodwill, as it were?—I would rather that question were put to some member of the dock board; I am not familiar with the management of it.

3665. Are you aware that Mr. Farrer in his evidence argued invariably for the abolition of compulsory pilotage, on the ground of the anomalous state of the law in respect to the liability of the shipowners?—I am sorry to say that I did not read Mr. Farrer's evidence. I have not read any evidence given before this Committee. I have read Mr. Farrer's Memorandum, which was ordered by the House of Commons to be published in February last, and there, I think, Mr. Farrer does argue (and if we admit his premiss we must admit his conclusion) that the immunity is the consequence of the com-

Mr. *W. J. Lamport.*

3 May 1870.

pulsory payment of pilotage, and that we should therefore do away with the compulsory payment of pilotage; but I do not see that; I think the immunity may be done away with and the compulsory tax remain.

3666. Do you think that the law should simply be that in the case of casualty the ship in fault ought to pay?—The clause in the Merchant Shipping Code expresses it with great clearness, and I humbly agree with it; if you will allow me to read it, it is the 479th Clause: "Nothing in this Act shall be deemed to oblige the owner or master of any ship to employ or to give his ship into the charge of a pilot, either on the ground of his being compelled to pay pilotage dues to any other person or otherwise, or to exempt any owner or master of any ship from liability for any loss or damage occasioned by his ship to any person or property on the ground either of such ship being in the charge of a licensed pilot, or of such loss or damage being occasioned by the act or default of a licensed pilot, or on any other ground." That agrees with my opinion.

3667. Is not that the state of the law in America now?—The state of the law in America is that compulsory payment is required; whether compulsory employment is required or not I am not able to say; compulsory payment is required, and there is no immunity in consequence of it. In the cases of Holland and Belgium the law is as this clause would make it in England; the payment of pilotage is compulsory, but the owner of the ship is not freed from liability in consequence of it. In the case of the Scheldt pilots, the very same system prevails which I have expressed an opinion in favour of for Liverpool, that is to say, the Scheldt pilots do not limit themselves to being exactly outside the immediate neighbourhood of their own river, but if one of our ships has called at Southampton to land her mails and passengers from South America as is very commonly the case with the ships of my own firm, and is then bound to Antwerp to deliver her cargo, our ship finds a Scheldt a Dutch, or Belgian pilot between the Isle of Wight and Beachy Head, and that pilot assists the captain. If the captain is not familiar with the Downs and Goodwin Sands, that pilot is on board to assist him before he approaches the entrance of the Scheldt, as well as to assist him to enter the Scheldt. It is my knowledge of that system which induces me to argue in favour of extending the system to Liverpool, and yet the compulsory payment of pilotage is maintained in those cases.

3668. Would not the pilot be of great service to the master in assisting him to identify the landmarks, and to tell him the state of the tide, without interfering with the handling of the ship?—Decidedly.

3669. From your evidence I gather that you do not consider the abolition of compulsory pilotage would be of any advantage to you as a shipowner?—No; certainly we shall employ pilots, if we can get them; my fear is, that we shall not always be able to get them as we do now.

3670. If you could get them you would wish to employ them?—Yes.

3671. And that would be the case with the owners of all large shipping property?—I do not like to answer for my neighbours; some of my neighbours think that they can avoid the payment of pilotage. I will not express any opinion or denounce any course upon the part of anybody else, but I should fear if I did it, that I should be guilty of careless conduct. If, having the opportunity of employing a pilot to enter or depart from the port of Liverpool, I did not so employ him, I should feel, as a shipowner, that I was guilty of careless conduct.

3672. And the persons who would be likely to take advantage of the abolition of compulsory pilotage would be the owners of the inferior shipping?—I am not prepared to say that. Some of our best shipowners are now flattering themselves that they may be able to save their pilotage dues. I think the system will not last; I think they will soon find out that the result will be disastrous and they will give it up.

3673. I think from your answer to previous questions, you intimated an opinion that you would consider it a wise policy to leave each particular port to deal with its own system of pilotage?—Yes.

3674. And you think it a technical question, and one which the local authority is best qualified to determine?—It is a municipal question; I think the local pilotage authorities are far better able, provided they be sufficiently under the influence of the public opinion of the shipping interest, to judge of this matter, than the Board of Trade can possibly be. But what I do protest against, speaking as a Liverpool shipowner, is an attempt at establishing in this way a system of doctrinaire uniformity. What is right and good for one port may not be right and good for another port, and I object to your applying to a port like Liverpool, the principles that you can apply to a port like Sunderland, where the circumstances are wholly different.

3675. Would you think it wise, whatever the decision of Parliament might be, to take any special precautions in the case of passenger steamers; to secure that they should be safely navigated in pilotage waters, by not admitting the abolition of compulsory pilotage in reference to that particular class of ships?—My own feeling is so much against interference on the part of the Board of Trade, and we are so hampered with the present restrictions on passenger ships, that I should be very unwilling to express an opinion as to the desirableness of any increased restriction; but I think at present a passenger ship is bound to take a pilot; I am speaking quite hastily now, without any knowledge upon the subject.

3676–7. Mr. *Gourley.*] You said that under the compulsory system, you thought a pilot would be morally bound to attend to his duty; do you think there is anything in the compulsory system more morally binding upon a pilot than there would be under a voluntary system; would not a man exercising the calling of a pilot under the voluntary system, care equally as much for looking after vessels as under the compulsory system?—I look at the pilot himself and place myself in the position of the pilot. I do feel that the circumstances would be very different. Under the present system I should feel that I had virtually made a contract with the owner and the master of an inward-bound ship to be on the spot, and to pilot that ship in, and that on the other hand in fulfilment of their part of the contract the owner and master have agreed to pay me a sum for doing so. I should, therefore, feel bound to be on the spot if I possibly could. Under the proposed system it would be for me to weigh my own comfort and my

my own safety against the chance of earning a fee from a ship coming in, which might employ me, or might not employ me, just as the master might choose.

3678. If you had obtained a license under the voluntary system, would not it place upon you some obligation to look after the interest of the port, and the interest of your own calling?—If it were made the condition of the license, it would technically, but not morally; by attempting to force it in that way it would only be another instance of what everybody's experience must teach him, that there is no use in trying to force the will beyond the conscience.

3679. That would apply in all systems, whether voluntarily or compulsory. You said that vessels in charge of steam tugs were not exempt from danger; is it not usual for vessels with tugs, notwithstanding that they have pilots on board, to follow the course indicated by the tug rather than the course indicated by the pilot on board the ship?—I am not practically acquainted with that matter; I never was on board a vessel coming into the port of Liverpool in tow of a steam tug, and I would much rather you put the question to some nautical man. My impression would be that the master of a steam tug is entirely under the command of the pilot. I know that is the law that has been laid down in the Admiralty Court over and over again.

3680. Is the distance between the tug and the vessel not so great as to make it almost impossible for a pilot on board a sailing ship to give directions to the master of the tug?—In many cases I apprehend it must be so.

3681. You said as another reason why a pilot should be on board a ship in charge of the tug, that the vessels very often break their tow ropes; would a vessel be in a more dangerous position without a pilot, than with a pilot, in the event of her breaking her tow rope?—Yes, she would have lost the use of the tug, and she would not have the use of the pilot. If you remember, that was in answer to a question put to me as to whether I thought many vessels would avail themselves of the provisions of the proposed Bill by not employing pilots when entering the port; and I said that my impression was (without being able to prophecy anything positive about it), that many of the smaller class of sailing vessels would be content with employing a tug, because the captains of the tugs do get, from their constant experience of towing out and towing in, a certain amount of knowledge of the entrances to the port. I went on to say that I thought it would be a dangerous state of things; that it would only be resorted to in smooth water, and if a squall came on, the captain of the tug, for his own protection, would throw the ship off, and the ship would be then amongst the banks, and the captain of the ship knowing nothing whatever about the banks, in all probability there would be some damage or loss.

3682. And you would place the ship in charge of the pilot, and free the owner from all responsibility in the event of an accident?—No; I would not free the owner of the ship from responsibility.

3683. In whose charge would you leave the ship in the event of an accident?—I would leave the ship in the charge of the captain, with the pilot there to give the captain any information as to the localities of the port.

3684. Then you would consider the captain equally competent with the pilot to take charge of the ship under such circumstances?—I should always retain the captain in command of the ship, but I should give the captain the use of a pilot, just as I should give him the use of a chart.

Mr. *W. J. Lamport.*

3 May 1870.

3685. You said that you were an advocate for pilots going further out to sea than what they are in the habit of going now in Liverpool; do you think that under a voluntary system pilots would be inclined to go further out to sea than what they do now under the compulsory system?—I think, under a voluntary free-trade system, in all probability pilots would be found to go down Channel; and as that going down Channel is in no way inconsistent with our present system, I am desirous that our dock board should give the shipping interest the advantage of it, in the way of allowing certain pilots to go down the Channel; and I have given a practical illustration, that as the thing is already done, in the case of Antwerp, under the compulsory payment system, I can see no difficulty in doing it in the case of Liverpool, also under the compulsory payment system.

3686. You would advocate the free-trade system in pilotage, but you would compel the owners to pay for the pilots who might follow that calling, although they might not use them?—I draw a distinction between two things: one is getting into the port of Liverpool, another is coming up the Channel. I have already said that, in the first case, the use of a pilot is, to my mind, essential; in the other case it would be, in many cases, useful; and the compulsory payment I would restrict entirely to that part which I humbly conceive to be essential.

3687. I suppose you consider that all your captains are as capable of taking charge of their ships without pilots as they would be with pilots?—Not the bringing of ships into Liverpool, but of having the command of the ship. I have already said that I would never take the command of the ship out of the hands of the captain, but I would give the captain every instrument he requires to enable him to navigate his ship in safety; and the instrument that I consider he requires, in order to navigate his ship in safety into the port of Liverpool, is the assistance of a pilot.

3688. If you have a pilot on board, you say that he is simply to give advice; how can he give advice unless he exercises some control over the navigation of the ship; for instance, if he points out to the master that there is a certain sand bank lying in a certain direction, the master would naturally follow the course indicated by the pilot; therefore, in such a case, the pilot would be the actual commander of the ship, and the captain would be the navigator of the ship?—I demur to the statement that the pilot would in that case be the actual commander of the ship; he would be so no more than the second mate is when the captain himself is on the deck and the first mate is below. What I maintain is, that the captain is to be responsible for everything that is done on board his ship, but that he should make use of the pilot for certain circumstances, just as he makes use of his first or second mate, or any of the other officers, for certain purposes, though for different purposes.

3689. The officers are all under the direction of the captain, they do not direct the captain;

Mr. W. J. Lamport.

3 May 1870.

but I apprehend that a pilot in local waters would be there simply for the purpose of directing the captain in reference to the sand banks and the channels in the way of navigation, and that under such direction the captain would be under the command of the pilot, and the pilot would not be under the command of the captain?—I am not a captain of a ship, and I do not know practically what would be done upon the deck of a ship; but I cannot conceive there being any difficulty whatever in the captains being able to avail themselves of the services and advice of a pilot, and if a captain in pursuance of that course thought fit to authorise the pilot to give direct orders to the helmsman, for instance, I can see no objection to that; the responsibility remaining still with the captain, and the captain not being deceived as he is now, by supposing that if he interferes with a pilot it will make his owners responsible for damage that may be done by the fault of the pilot.

3690. Placing the captain in that responsible position, would it not be, in your opinion, much better to leave the masters with a certain amount of discretion, or with full discretion as to whether they would employ pilots or not?—I have already stated in my evidence that I am not in favour of forcing a pilot upon any master whatever unwillingly.

3691. You would leave it to the master's discretion?—Speaking now as to what I should like to see made law, I should like to leave it to the master's own discretion. As a shipowner, I would not leave it to my master's discretion; but I should dismiss any master of mine who, when he had an opportunity of employing a pilot, failed to do so.

3692. Notwithstanding he might know the water as well as the pilot?—If any one of my masters told me that he knew Liverpool water as well as a Liverpool pilot, then I should say that he was a conceited fellow.

3693. And therefore you would place a ship in the command of a pilot rather than of a captain?—No; I consider that a master without the assistance of a pilot is not as a rule competent to take a ship into the port of Liverpool; with the assistance of a pilot he is so.

3694. You stated that you would make the payment of pilotage compulsory, whether pilots were employed or not, in the same way that you would make a shipowner pay for lights along the coast, though he may not use them; are you in favour of a compulsory payment for lights which are not used, as a just and equitable charge to the shipowner?—Speaking personally, I am not in favour of throwing the expense of the light-house system upon the Consolidated Fund. I should like very much to be excused from my own contributions towards the expense of the lighthouses; and if the Legislature and the country are so good as to take the maintenance of lighthouses upon themselves, I shall be very much obliged to them; but as you put the question to me distinctly personally, I am bound to say that I have never been satisfied with the arguments in favour of the transfer.

3695. I believe that the lighthouses and buoys are intended to act as beacons to masters of ships in difficult waters; and all the local waters of this country are so well indicated at night-time by lights, and in the day-time by buoys, that any master, with the assistance of a chart, can find his way into the most difficult of our harbours; is not that so?—No; not into Liverpool, certainly.

3696. Do you think it impossible to find your way into Liverpool without a pilot?—I do not say that it is impossible, but it would be running very great danger to attempt it as a rule.

3697. Are there many vessels navigating the Mersey without pilots?—A great many vessels under 100 tons, and some coasting steamers. I think a very strong argument in favour of the question that I am advocating lies in this, that though masters have been licensed to pilot their own ships, and other ships belonging to the same owners, very few have availed themselves of it; and that appears to me a conclusive argument in favour of the usefulness of employing a pilot.

3698. Do you find more damage arising with vessels navigating the Mersey without pilots than from those navigating with pilots?—As a matter of fact a very large proportion of the wrecks which take place among our sand banks are small vessels; and they, being small vessels, I suppose the majority of them have no pilots on board. Our local Act exempts vessels of 100 tons or under from the necessity to take pilots.

3699. You said, in answer to the honourable Member for Liverpool, that, under a voluntary system, pilots would be apt to make excessive charges for salvage services; what reason have you for giving that opinion. Is it not your opinion that the authorities would be able to check excessive charges for salvage services, just as well under a voluntary system as under a compulsory system?—I did not give that opinion; I said under a system of perfectly free trade, where the shipowner and the pilot were left at liberty to make their own bargains with each other, that we should have the same system introduced on the part of the pilots that we are at present suffering from on the part of the steam-tugs. A steam-tug in fine weather goes out, and the captain takes off his hat to the master of an inward-bound ship, and begs for a job and is very willing to tow the ship in for 5 *l.* or 10 *l.*; but, in bad weather, where he sees that a sailing ship is in danger on a lee shore, with one of our sand-banks under her lee, the steam-tug either exacts an enormous sum, or refuses to make any bargain and claims salvage; that system is the opprobrium of the port of Liverpool, and I should be very sorry to see it extended to pilots.

3700. That is not my experience of Liverpool; my experience is quite the contrary; in a salvage case of my own, in very bad weather the owner of a steam-tug sent a steam-tug to a very long distance, as far as Wicklow Bank, and brought the ship from there to Liverpool for a very small sum indeed, smaller in comparison than anything I ever had experience of, but still all those charges are under the control either of the local magistrates or of the Admiralty Court, and we know that they never assess too much?—Do not the circumstances you have just described show that you had the power of making a special bargain with the steam-tug before she left Liverpool, and that is very different from the circumstances I describe, where the ship is outside on a lee shore, and the tug is there, and the tug may tow the ship or not as the tug pleases. If you were

so unfortunate as to have a ship on the Wicklow Bank, you have 100 steam-tugs in Liverpool with whom you may make a bargain, and if one wanted too much money then you could go to another, but the circumstances are very different from those I have been describing.

3701. Do you mean to state that, under the present compulsory pilotage system, the pilots are not in the habit of making excessive charges for salvage services?—The Liverpool pilots cannot make salvage claims.

3702. Then the same system would appertain under the voluntary system; the pilotage board would have the same control over the pilots under the voluntary system as they have now under the compulsory system?—Under the licensing and restricting system it would be so; my statement had reference to a perfectly free trade system, that being one of the reasons why I do not advocate a perfectly free trade system of pilotage.

3703. Would you grant to all men who could pass an efficient examination a license to act as a pilot?—The Bill does not propose to do that. The Bill proposes to limit the number of pilots, and to withdraw a certain number if they are found to be too many.

3704. *Chairman.*] I think you should understand that the Bill does not propose that. That is a limitation with reference to compensation; but after that period for compensation is passed, it leaves it to the local authorities to use their discretion whether to license a limited number or an unlimited number?—I was not aware of that.

3705. Mr. *Gourley.*] Would you advocate the licensing of an unlimited number of pilots, supposing they had passed an apprenticeship, and could pass an examination proving their being able to act as pilots through waters for which they offered their services?—The question on which I am endeavouring to express my opinion lies between our present system in Liverpool and the system proposed by this Bill. I respectfully demur to this being treated as a question between our present system and a free trade system. The Bill does not propose to give a free trade system. If this Bill should be withdrawn, and a Bill were introduced for a perfectly free trade system all I can say is, that I should give it my most respectful consideration.

3706. *Chairman.*] You are aware that nobody has propounded this measure as a free trade measure?—No.

3707. Neither have its promoters advocated a perfectly free system, I think?—I do not accuse anybody of doing so.

3708. I think you are one of the members of the Steamship Association of Liverpool?—Yes.

3709. Were you present at a meeting when they considered this Bill?—I was not.

3710. Are you aware that the great majority of the persons present were in favour of the Bill?—I have no doubt that the great majority of the committee of the Steamship Association are in favour of the Bill, to the extent that they have described in the report they have made upon it. I do not know myself whether any meeting of the association has been called together to consider the Bill. I asked a member of the committee whether the Bill had been considered generally by the committee, or whether it had been considered by a general meeting of the association, as I never received any notice to attend a meeting of the association, and he could not tell me.

3711. Was not your partner, Mr. Holt, present at the meeting of the Committee, at which they agreed to the principle of the Bill?—Yes.

3712. I need hardly ask you whether the steam-shipping trade of Liverpool is vastly increasing from year to year?—It is.

3713. By all appearances the interest of the steam capital exceeds that of the sailing vessels?—I have not the statistics in my mind.

3714. Should you be surprised to hear that, taking into consideration coasting vessels as well as foreign-going vessels, that is the case?—I should not be at all surprised.

3715. Are not the steam-vessels, as a rule, in the hands of comparatively few men as compared with sailing vessels?—Steam-vessels are tending to be aggregated in large companies.

3716. Therefore they are hardly sufficiently represented on the Mersey Docks Board?—I do not think there is ever any difficulty in getting on the Mersey Docks Board on the part of any large steam-ship owner. My belief is that there is scarcely a large steam-ship owner in Liverpool who has not been urged and pressed and begged over and over again, to go on the board.

3717. And in proportion to the number of vessels the number of steam-ship owners on the board are hardly equal to the owners of sailing vessels?—I think the number of steam-ship owners on the board is small. Several of them have been on the board, and have refused to remain on the board. Mr. Inman was a member, and he ceased to be so. Mr. MacIver was a member, and he ceased to be so. I myself have had the honour of being pressed over and over again to be on the board, but the same thing has prevented me that may have prevented others also, that the management of steamships is so exceedingly engrossing, and requires so much time and attention.

3718. Would you say that the steamship owners are adequately represented on the Mersey Docks Board, in proportion to their interest?—My belief is that there are more sailing ship-owners on the board than steamship owners, but that is not from any desire to keep the steamship owners out.

3719. But, as a matter of fact, it is so?—Yes.

3720. I understood you to agree with all that has been said against the present law, which relieves the owner from liability where he has taken a pilot on board, under compulsion?—Yes.

3721. You have yourself suffered from that law, have you not?—Yes.

3722. And you have known very many cases of injury to vessels arising from it and damage done by it?—Yes.

3723. And you think it very desirable that that law should be altered?—Yes.

3724. I understood you however to say, that you do not think it should be altered, in the event of compulsion to take a pilot remaining?—Then we get to the question as to the justice of the thing, and certainly if you force a pilot on board a ship, and compel the master to give up the control of his ship to that pilot, and by the fault of that pilot his ship suffers or does injury, it does

Mr. W. J. Lamport.

3 May 1870.

appear very hard, and would be unjust to make the owner responsible for that injury.

3725. I want your opinion strongly upon that point, that in the event of compelling a master to take a pilot on board, you do not think it would be just to throw the liability upon the owner?—I do not think it would be just.

3726. And therefore you have adopted the plan which was suggested in the Bill of last year, namely, making payment compulsory, instead of making employment compulsory?—Yes.

3727. Leaving it at the option of the owner or master to take a pilot as he thinks fit?—Yes.

3728. Supposing that principle was adopted, do you think it would be as easy to carry out the present discipline as regards the pilots?—Yes.

3729. Do you think it would be possible to compel them to keep their stations in the same way as now, or do you think that the effect would be that vessels would have to pay whether the pilot offered his services or no?—Personally, I should not object to exempting a vessel from the payment of pilotage, where no pilot had offered his services, or where it was impossible to procure the services of a pilot; but that is a very small point, because if we keep a sufficient supply of pilots out, there will be no difficulty whatever in any vessels obtaining a pilot; at present, in the first instance, every ship frequenting the port of Liverpool must pay dock dues; but if that ship does not make use of the docks, and discharges in the river, she is afterwards entitled to a return; she only pays part of the dues; and in the same way I really think if a master has no opportunity of employing a pilot, it would be rather hard to make him pay for it.

3730. Supposing he does not want a pilot, then you would make him pay?—Of course the docks are there; they cannot be moved; but we come to the old question with which I started, about the difficulty of making the pilots go out to meet the ships, if the ships are not compelled to pay the pilots.

3731. You see no hardship in making a man pay for a thing even though he does not want it?—I think not, under those circumstances; I have drawn a very marked distinction between these circumstances and the other circumstances; and I have also illustrated my opinion by other cases, like lighthouses and police, and many other cases.

3732. The main object that you have in view is to keep up a sufficient supply of pilots?—Yes, and to have them always on the spot.

3733. And for that purpose you would impose what in fact would be a tax upon shipping?—Yes.

3734. And in the same way, you think, it would not be desirable to make any exemptions?—As I have already said, I cannot see that exemptions depend upon any principle; at the same time I should not wish to be misunderstood as desiring to interfere with the present exemptions.

3735. You would keep the present exemptions, because they exist, but you would not carry them any further?—No.

3736. Your fears as to the change arise entirely from the improbability of keeping up a sufficient supply of pilots under the proposed system?—Yes.

3737. But you have had no experience at any other port than Liverpool?—None that would be of any use to the Committee.

3738. You have not any experience of the ports where pilotage is now voluntary?—My experience is so slight that I should be sorry to answer a question upon it.

3739. You have not heard any evidence given here in reference to that subject?—No.

3740. Nor have you read the evidence given?—No.

3741. Are you not aware that in many ports of this country there is a voluntary system carried on precisely the same as the scheme proposed by this Bill?—Yes, I know that is so at Cork, for example.

3742. Are you aware that it is so in the Bristol Channel?—Yes, at Cardiff and Newport.

3743. And Gloucester?—I do not know Gloucester.

3744. Are you aware that in those places it is found possible to keep the men to their business, even under the voluntary system?—I have already said that I know very little about other ports, and I would rather not be asked the question. I should like just to repeat the answer I made to the honourable Member on your left, that I should not admit of any analogy between those ports and Liverpool, unless I was told that the natural dangers of the ports, and the dangers to the pilots themselves in being obliged to remain outside, in order to meet the inward-bound ships, are equal to those of Liverpool.

3745. I presume you would allow that the more difficult the navigation is, the more probability there is that a pilot would be employed under a voluntary system?—Yes.

3746. Therefore, supposing that in a port where the navigation is easy you find a voluntary system established, under which pilots are found equal to the demand, and are in fact amply employed, would not that carry great weight with you, as to the probable effect of this Bill upon Liverpool?—I am of opinion that a pilot is so useful to an inward-bound ship, that the number of inward-bound ships that would take advantage of the exemption would be comparatively small; but when the question was put by Mr. Graves, I declined to give any estimate of the amount, because I had not the means of doing so.

3747. Then is it your opinion that the great bulk of the vessels would continue to take pilots as at present?—Yes.

3748. Then the employment would not fall off?—The point I started from was the moral effect on the pilot's own mind in inducing him to run risks that he would not run under another system.

3749. That is an hypothesis that is not founded upon any experience, but it is derived from a presumed knowledge of human nature?—I will not say anything about that, but it is derived from my experience of the present system. I do see that under the present system the pilots do expose themselves to these risks and dangers, and of course you cannot completely analyze the motives which induce the man to take any particular course, or to avoid any particular course, but we may give a very shrewd guess at them.

3750. Supposing it were proved to you that in places where pilotage is voluntary there is no difficulty in persuading a man to remain out in bad weather and look after vessels, and that the pilotage

pilotage authorities, in fact, exercise the same discipline and control over the men as they do in places where it is compulsory, would not that, to a great extent, remove the difficulty you have urged against the Bill?—Those are circumstances that I should take into serious consideration, no doubt.

3751. Then the experience would be more valuable than the theories which you found upon it?—If the circumstances were the same.

3752. But *a fortiori*, if the experience is derived from places where navigation is easy?—It is a question as to the obligation that the pilot feels to be out in bad weather. It does not depend much upon the easiness or the difficulty of navigation, but it is the exposure and the necessity for being 40 or 50 miles away from a port, as in the case of Liverpool.

3753. I presume, in your opinion, the employment of pilots is more likely to fall off in fine weather than in bad weather?—Yes.

3754. If there is any falling off after the passing of this Bill, you think it would rather be in fine weather than in bad weather?—Yes.

3755. Therefore, there will be this inducement for the pilots to go out in bad weather, that they are more certain to find employment?—They would have a greater probability of being paid a fee in bad weather than in fine weather, and so far, therefore, as that peculiar motive operates you would be right.

3756. Judging generally from human nature, should you not think that is a very great inducement?—It is a very great inducement, but it is not always a sufficient inducement when standing alone.

3757. I think you drew some analogy from the employment of cabmen in your evidence?—Yes.

3758. And you stated your opinion that cab drivers do not go out in bad weather?—Yes.

3759. Is it not the rule that cab drivers do go out more in bad weather than in fine weather?—My experience is the reverse..

3760. Is it not the case that, as a general rule, they are more certain of employment in bad weather?—I am much less likely to find a cab on the stand in bad weather than I am in fine weather; it may be that they are all employed, or it may be that they are not out; but I can give you a parallel in my own experience. I happen to reside the opposite side of the river, 2½ miles from the ferry, and on fine evenings I always find plenty of cabs, but on a wet evening I often find no cab. Now, the inference I draw is, that if the cabmen knew that I was sure to employ them they would come, but if they are not sure of a job they stay at home.

3761. It has been suggested by way of increasing the inducement to pilots to be out in bad weather, that there should be some little higher charge for pilotage during the winter months than during the summer months; do not you think that that would act as an inducement to the pilots to keep their stations during the bad weather?—To a certain extent it would, as far as the earning of a fee goes.

3762. I do not understand why you are of opinion that, under a voluntary system, there should be a greater difficulty on the part of the pilotage authorities in exercising control over the men, than under the compulsory system?—I can only repeat what I said before, that under the present system, a man feels that he is personally under a contract.

3763. As I understand you, you have no experience of those places where pilotage is voluntarily, and where that control is now exercised?—No.

3764. Should you be surprised to hear that no difficulty is found by the pilotage authorities in exercising that control?—I should have to ask a great many questions as to the number of the pilots compared with the number of ships frequenting the port, and so on; and as to the rate of pilotage, and as to the distance from the port to where the pilot was expected to go, and as to the dangers of the particular locality apart from the mere entrance to the port.

3765. Should you be surprised to hear that in places where pilotage is voluntary, the pilotoge authorities find less difficulty in keeping the men at their stations than they do in places where it is compulsory?—Are you speaking now of the free trade system?

3766. No, I am speaking of the system proposed by this Bill?—I should be rather surprised.

3767. You are aware that the system proposed under the Bill is precisely that which is now in force in all the places where pilotage is voluntary round our coasts?—I was not aware of that.

3768. It is the same where there are any pilotage authorities, or where there are any licensed pilots at all, is it not?—I am not aware of that.

3769. Would the consideration of those facts bear with you strongly as regards the effect of this Bill upon Liverpool?—I should consider any new evidence; my mind is open to receive it.

3770. At present you have not considered that part of the question at all, have you?—I have not considered any matter connected with the experience of other ports.

3771. In fact, your experience is all derived from Liverpool?—Yes.

3772. And from the system of compulsory pilotage there?—Yes.

3773. And not from any districts where pilotage is voluntary?—No, I have had no experience of the voluntary system.

3774. Did the Steam Shipowners Association consider the Bill proposed by the Board of Trade last year?—I think you mentioned the name of my partner. I will tell you frankly all that has passed between me and my partner on the matter. My partner is a member of the committee; a notice came to him to attend a meeting of the committee to consider this Bill, and he said something about being very busy; I said, "Go, by all means." My partner came back and told me that it took no very long time to consider; it was all cut and dried, and it had been gone through by the secretary, who is an attorney, very rapidly, and the report I have read since does certainly bear the marks of great haste.

3775. I do not mean generally with reference to the Bill, but specially with reference to the changes proposed about pilotage?—I think the inference drawn from the question you put to me, and the answer I made, would have led to the conclusion that my firm was a house divided against itself upon this subject. I do not believe it is so.

3776. I only want to ascertain what the general opinion of the steam shipowners is upon the subject, to ascertain whether you were an exception?—I

Mr. *W. J. Lamport.*

3 May 1870.

—I think you will find the steam shipowners divided upon this subject, and I think you will find the majority in favour of the proposed change.

3777. That is to say, with regard to the Bill now before the Committee?—I think the majority of the steam shipowners would advocate the doing away with the compulsory payment of pilotage. I am not sure that some of them may not go a great deal further than that, and advocate perfectly free trade.

3778. Some may be in favour of it, but the majority of them are in favour of relieving the shipowners from the compulsory payment of pilots or the compulsory employment of pilots, are they not?—Yes, and it is borne out by the fact that this report in favour of the abolition of compulsory payment of pilots was carried in a committee of the Steamship Owners' Association.

3779. Do you know whether they considered the Bill of last year which proposed to leave the payment compulsory, though it relieved them from the compulsory employment of pilots?—Yes.

3780. Were they in favour of that, or not?—In the report they are in favour of doing away with both the compulsory payment and the compulsory employment, but they say that if the compulsory payment is continued, then the owner should still be free from liability for the pilot's default. There are two parts in that report in which the question is stated. One is, I think, on the second page of the steam shipowners' report, in which they speak of the Pilotage Bill. Then later on in considering the code they come upon the question of pilotage; they say, what is there stated in the code appears to be an alternative to this Bill, and they consider that it would not be just if the compulsory payment is continued to make the owners still liable.

3781. Then they go a step further than you; you think it would be unjust to the owner if he was compelled to employ a pilot, and they think it would be unjust to the owner if he was compelled to pay for the pilot?—Yes.

3782. And you think it would be just to the owner to throw the liability on him if he was only compelled to pay, though if he was compelled to employ you think it would be unjust?—Yes.

3783. The steamship owners think that it would be unjust to throw the liability upon him if he was compelled to pay?—I think the majority of the Steamship Owners' Association think as you have just stated it.

3784. Should you think that it would be the opinion of the sailing vessel owners as well?—I really do not know. I think if it were well argued that the sailing-ship owners would think as I do.

3785. You are aware that in this matter one must look at the expediency as well as the justice of the measure?—Yes; I think the sailing-ship owners, and the minority of the steamship owners, would be perfectly content with the provisions as they stand in the code; that is to say, withdraw this Bill, and there would be very little objection made to the clauses relating to pilotage remuneration in the Merchant Shipping Code.

3786. I thought you said that the majority of the steamship owners were of opinion that it would be unjust to throw the liability upon the owner if he was compelled to pay?—In my last answer I said the majority of the sailing-ship owners and the minority of the steamship owners.

3787. Supposing that proposal was carried into law, and it turned out after a time that a certain number of owners did not employ pilots, do you think that the compulsory payment would long subsist?—I cannot look into the future. My own notion is that it would be perfectly fair to exact it as a tax for the maintenance of the pilotage service of the port. If it could be proved, either by such experience as you have indicated, or by other reasoning, that the pilotage service could be as efficiently maintained without a tax, I think the tax would have to go.

3788. Do not you think that the passing of such a Bill would be immediately succeeded by an agitation to get rid of the tax?—No; there is no tax which we pay more willingly.

3789. Supposing, in the case of the lines of steamers running from Liverpool to France and the Mediterranean, which would be constantly coming in and out of the port of Liverpool, and which would therefore not find a necessity for pilots; supposing they are compelled to pay notwithstanding, do you think they would after a time commence an agitation to be relieved from such a payment?—I think it is very likely; but I think it would be much the same as an illustration I gave about the police; that if I do not get any advantage from the police it is hard that I should have to pay the police rates; if I would protect myself; but it would be a question of expediency.

3790. In this case they have shown the inutility of the service by not employing them; under your proposal they might employ the pilots for nothing, because they have already paid, and notwithstanding that they probably would not employ a pilot; would not that make any difference in the analogy you have drawn?—As far as Liverpool goes, the whole number of vessels employed in the Continental trade is comparatively so small that I think the agitation would not assume very formidable dimensions; but I can easily see, with reference to London, or some ports on the east coast, it may be a very important thing to consider.

3791. Then I may take it that you feel strongly the injustice and grievance that arises from the present system from the immunity of the owner when he employs a compulsory pilot, and you think some change is necessary?—Yes.

3792. But you are not prepared to go as far as this Bill proposes?—I am prepared to go as far as the code proposes, not as far as the Bill proposes to go.

3793. And you think that there is even a step beyond that, that possibly some people might go?—I think many people would be in favour of a perfect free trade.

Mr. William Miles Moss, called in; and Examined.

3794. Mr. *Graves.*] I believe you are a member of the Mersey Docks and Harbour Board?—Yes.

3795. And you are also chairman of the Pilot Committee?—Yes.

3796. And you are a member of the Marine Committee?—Yes.

3797. That committee is charged with the superintending of the lighting, buoying, and surveying of the port?—Yes; I have been a member of those committees for the last 12 or 13 years.

3798. Are you also a large steam-ship owner?—Pretty well.

3799. And you are largely interested in steam?—Yes.

3800. Are the vessels under your own management?—Many of them; others are under the management of Messss. Bibby's.

3801. How long have you been connected with the shipping in Liverpool?—Man and boy, 47 years.

3802. Are you a member of the Steam Shipowners Association?—I am nominally so.

3803. What do you mean by nominally so?—I never attend the meetings; I subscribe to the Association.

3804. Are enrolled as a member?—Yes.

3805. Did you hear the opinion expressed by Mr. Lamport with reference to the constitution of the Mersey Docks and Harbour Board, that he thought there were more sailing-shipowners on the Board than steam-shipowners?—It is a mistake.

3806. Will you state of what number does the Mersey Docks and Harbour Board consist?—Twenty-eight members in all; four appointed by the Government; of the remainder there are nine gentlemen largely interested in steam, and only five or six shipowners; the others are generally merchants connected with the trade.

3807. So that it is an erroneous impression of Mr. Lamport?—Yes, it is a mistake on Mr. Lamport's part; I have got the names of them here.

3808. I believe you have heard Captain Judkins' and Captain Hill's evidence as to the peculiar dangers of the Mersey?—Yes.

3809. Do you concur in that evidence?—Yes.

3810. Is there any danger that has not been alluded to by them?—Yes; they have not alluded sufficiently to the enormous strength of the tides in those channels; the Liverpool tide tables show from 10 to 22 feet, but to those tides you must add 10 feet more, inasmuch as the datum of the old dock sill is 10 feet above the lowest water in the river; the tides actually rise 22 to 33 feet.

3811. Is it not also the fact that, during certain periods of certain months in the year, vessels go in and out entirely at night?—Yes; and I had the curiosity to look over the almanac, and I find that in the winter months half the time all the work of the port of Liverpool must be done in the dark; that is to say, there are no day tides; they are so early in the morning, and so late at night, that they have not light enough for ordinary operations.

3812. Is that another reason for an efficient pilot service?—Yes. Just imagine 100 or 200 vessels coming in in one night.

3813. During your experience as a shipowner, has the increase in the number of vessels been very large?—The increase has been very large in proportion to the tonnage. When I first knew Liverpool the tonnage paying dock dues was 10,000 vessels a year, and the tonnage was about a million, or rather less; but now the number of vessels is only doubled, while the tonnage has increased 5½ fold.

Mr. *W. M. Moss.*
3 May 1870.

3814. In how many years?—In 35 to 40 years, representing the tonnage of 11¼ million tons in and out of the port of Liverpool of those vessels that pay dock dues alone, besides many thousands that do not pay dock dues.

3815. How many of that number pay dues?—Last year there were 11,850 vessels that paid pilotage rates in and out.

3816. What was the total number of vessels paying dock dues in and out?—Nearly 20,000 in, and as many out. Last year, 1868, there were rather more than 20,000; this year, 1869, there were rather less, but the tonnage still increases.

3817. What is the average per day of vessels in and out?—Over 150 a day; all vessels included; tugs, and others.

3818. That is, as counted from the light-ship?—From the light-ship, in addition to those which are known of at the dock office.

3819. Is that opinion given upon reliable data?—It is under the mark entirely.

3820. And that traffic, to a large extent, is carried on, I suppose, within two or three hours of the top of high water?—Yes, it is so; some vessels pass in and out on the ebb, but that is more dangerous.

3821. With reference to the amount of earnings of a pilot, what was it when you were first connected with the pilotage establishment?—From 240 *l.* to 250 *l.* a-year for first-class pilots.

3822. What is it now?—Now a first-class pilot gets from 215 *l.* to 218 *l.*; a second class, 180 *l.*; and a third and fourth, 165 *l.*; and my impression is, that in 1872 it will be reduced about 20 per cent., owing to the cessation of the money contributed to the pilotage service nine or ten years ago, for the abolition of differential rates.

3823. What will that reduce the average earnings of a pilot to?—A man who now makes 210 *l.* or 220 *l.* a-year will make 190 *l.* a-year, assuming that the present traffic continues, and this Bill does not pass; then the next class will get 25 *l.* less, and the next still less.

3824. What is the total amount of your pilotage earnings in a year?—It was about 53,000 *l.* last year for pilotage.

3825. What is the number of pilots at the present moment?—I have only got the return to the 1st of January; the number is 284 holding licenses, that is including apprentices; but there are 34 apprentices not licensed.

3826. Altogether, what is the number?—318.

3827. *Chairman.*] That includes the 34 apprentices not licensed?—Yes.

3828. Mr. *Graves.*] What is the difference between a licensed and unlicensed apprentice?—A licensed apprentice is a man who, having served a certain number of years, gets a certificate entitling him to bring in vessels of a small class and depth of water; they range up to 500 tons.

Mr. *W. M. Moss.*
3 May 1870.

3829. What is an unlicensed apprentice?—An unlicensed apprentice can only work the boats.

3830. They have no license to bring in any vessel?—No.

3831. Of the 318, what number is constantly at sea?—Nearly half of them are at sea at a time; half the boats are constantly on service.

3832. It appears that you have been reducing the number of apprentices for the last few years; what is your motive for that?—In anticipation of the earnings being much reduced by the increased size of vessels; fewer vessels come into port, consequently a man will not gain nearly so much money.

3833. Does not it arise also from the number of vessels not keeping pace with the tonnage of vessels?—It does.

3834. What was your previous number of apprentices in a boat?—Ten was the extreme; now we have reduced them to six; no boat shall have more than six.

3835. Can you state how you regulate the number of pilots to the requirements of the port?—We have had no rule to regulate the number; we give an ample supply for the benefit of the shipowners.

3836. Do you keep a sufficient number to meet the largest requirements?—Yes, it is absolutely necessary.

3837. If you acted in the interests of the pilots themselves the tendency would be to decrease the number?—We do not think of the interests of the pilots; we think of the necessities of the port.

3838. Do you find that the general complaint is that you have got too many, or too few pilots?—I do not think we can have too many in a port like Liverpool; we do have some consideration for the earnings of the men, so that they shall not be too low; that is the only limit to the number of pilots.

3839. You have to provide for large arrivals upon any one day, have you not?—Yes, I have known 50 or 60 foreign vessels arriving in a day, (*i. e.* vessels from foreign ports) and sometimes only three or four. I have some strange statistics about that point; sometimes I have noticed only two or three vessels coming in in a day.

3839*. Does it chiefly depend upon the change of wind?—Entirely so.

3840. *Chairman.*] I suppose steam is producing a great change in that respect?—Yes.

3841. So that the arrivals are much more regular than they were?—Yes, of steam vessels, but not of sailing ships.

3842. And every day they are taking tugs much further off, are they not?—Some of the sailing vessels are.

3843. Mr. *Graves.*] How many boats are there employed in the pilot service of Liverpool?—Twelve.

3844. What is the character of those boats?—They are more like yachts built in the most expensive manner possible; they are fit to go to any part of the world.

3845. They are most expensive vessels?—Yes; in proportion to most ordinary vessels they cost nearly double.

3846. Is it a fact they are built by the best yacht builders in England? — Yes; they are fitted out for yachts, and they must be so for the accommodation of 20 or 30 men, who are out for weeks together in such a boisterous Channel.

3847. What regulates the divisions of the earnings of these boats?—The divisions of the earnings remain as they were when the powers were given to the Mersey Docks Board in 1858. It is regulated by the men themselves in a great degree.

3848. Have the Dock Board any interest whatever in the earnings of the pilots?—No interest whatever.

3849. Has there been any change in the pilotage rates within your memory?—No; they have remained the same for the last 30 or 40 years.

3850. While the cost of living has increased, the pilotage rate has remained the same, is that so?—Yes; unfortunately for the men.

3851. Do you find many complaints with regard to the rates being excessive?—No.

3852. As a shipowner, do you consider that the present system of pilotage works well for the port of Liverpool?—Decidedly so, and I consider it is absolutely necessary.

3853. Do you desire to have it maintained as it is?—Yes; I wish for no change.

3854. Do you agree with Mr. Lamport in his opinion that there would be great difficulty in enforcing an efficient pilot service if it was voluntary to pay or not?—Certainly.

3855. Do you think that it would be impossible to maintain an efficient pilot service?—I should not think it possible to get an efficient pilot for 100 *l.* a year, if it is necessary to pay 200 *l.* now.

3856. Supposing the Bill now under discussion were passed, what do you believe would be the effect upon the earnings of the pilots?—I am afraid to say; I think it would be very large indeed.

3857. Can you form an estimate of it?—No; I know it would be very large.

3858. I suppose in fine weather there would be a tendency to go out without pilots?—Yes; there is a tendency for many small vessels to evade the pilotage dues, and many do. They are not brought forward before the board, because they are difficult to get at when they are once out of the port. The trouble is too great to look after them.

3859. But in bad weather they would expect a pilot, would they not?—Yes; in bad weather they would.

3860. Do you think that they would amount to one-third or more?—No; I do not think it would be one-third, because many large vessels, especially steamers, will take pilots under any circumstances. It would vary. I should not be surprised to see 25 per cent. at least. I may mention that of the large number of vessels frequenting the port, every one of them, even if she is a 10-ton boat, can at any moment claim the services of any of these pilots, either coming in or going out.

3861. Even vessels now exempt can do so?—Every vessel coming to the port may claim the services of a pilot in any weather, winter or summer. They are there for the protection of the port.

3862. Is it your opinion that if this Bill passes, higher rates will be required to be charged at Liverpool?—Certainly, I think so.

3863. Then you will be taxing, probably, the prudent shipowners for the deficiencies of the imprudent; is that your view?—Exactly so. I think the present system is a boon to the shipowners.

3864. I suppose you occasionally find that you have

have obstructions on the bar?—Yes, but the port is under the special protection of the Mersey Conservancy Board, who keep a very sharp look out after us in those respects.

3865. Can you state what it costs the board to remove wrecks from the bar?—The board pays merely the balance of expenses that cannot be repaid by the owner, owing to poverty or other causes. In 1868 the board paid 5,832 *l.* as the balance of payment that they could not recover for the removal of the wrecks. Up to the present time we have already spent nearly 5,000 *l.*, but that source of danger will be vastly increased if you do away with compulsory pilotage. It will almost be the ruin of the port.

3866. Do you find generally that the shipping interest of Liverpool is satisfied with your pilotage service?—We have very few complaints. The system is approved of; the complaints are merely of detail.

3867. Have you heard the opinion of Mr. Lamport as regards the exemption from liability of a shipowner when the ship is in charge of a pilot?—Yes, I have.

3868. Do you concur in his opinion, that the liability should rest upon the owner?—Yes, I do, that the pilot is not to be the master of that ship. It is preposterous to make him sole captain of a ship which he does not understand. I speak more with reference to steamships which are very difficult of management indeed, and the captain and mates alone can understand what momentum is required to make certain evolutions.

3869. Do you think it is the duty of the pilot to advise the captain, as an assistant?—Yes, he is the assistant to the captain, exactly, and that only.

3870. Do you consider that doing away with the present immunity would be any injustice to the shipowners?—I think the contrary. In my case I think it is a great injustice to me, *i. e.* the present immunity.

3871. *Chairman.*] Even if they are compelled to employ a pilot?—Yes, if they are compelled to employ a pilot under the idea that the pilot takes command of the ship; I would never have that.

3872. Mr. *Graves.*] You would leave the ship in the hands of those best accustomed to command her?—Yes.

3873. Would the captain have any idea that he was infringing the immunity which at present exists by interfering with the pilot?—At present there is a divided authority; the captain hardly knows what to do. I have had many cases where that is the fact; the pilot has brought a ship into danger by not allowing the captain to manage her.

3874. Have you been consulted as a pilotage authority as to the principle of this Bill of abolishing compulsory pilotage?—No, the honourable Chairman called at the pilotage office, but I did not see him, and I was advised that until the Board had duly considered this question I ought not to commit them to any action at all.

3875. Had you any official communication from the Board of Trade with regard to this Bill before it was introduced into the House?—No.

3876. Is there any other point upon which you wish to express an opinion to the Committee?—Yes, I wish the Committee would take the invitation from me to come down in the winter, and I will give them a cruise in a steam yacht which shall be at their service; they will judge then what is the fact.

3877. You wish to show them the banks in a gale of wind?—Yes; I think you would not be deceived in your opinion then.

3878. Mr. *Norwood.*] I understand that you do not like immunity, but you rather prefer liability?—I do like as many immunities as I can get.

3879. I understood you to say that you did not like immunities?—Immunity does not pay in the case alluded to; that is the case of compulsory pilotage.

3880. How is it that in Liverpool you license so few masters and mates?—We are not asked; they do not apply to us.

3881. Do not you as a shipowner wish your own masters and mates to be licensed?—Yes, I do very much.

3882. Have you applied for them to be so?—I have not applied, because I do not think in bad weather they can dispense with the services of a pilot. I have asked them the question, and said I would increase their wages if they would do so, but they are unwilling.

3883. Why are they unfit in bad weather to pilot the ship?—They have not the experience in bad weather that is absolutely necessary with the buoys and channels, which are always shifting, and they do not know any other course than by the buoys, and if they get on a bank, not seeing the buoys, they are lost.

3884. Do you think that the examination they would have to go through, is not sufficiently searching to qualify them to assume the position of pilots in bad weather?—It is not so strict as the examination of a pilot who is learning from a boy upwards; almost any master can pass an examination to pilot a vessel in fine weather, but I defy any master to take a ship into Liverpool with perfect safety without an intimate knowledge of the channels.

3885. And I suppose that knowledge must be kept up by weekly acquaintance?—By daily acquaintance.

3886. Do you consider Liverpool an entire exception to the rest of the coast of England?—I do most decidedly.

3887. Do you think that if Liverpool is excepted there is not the same ground for Hull being excepted?—I would rather not speak upon that question; if Hull can give as good a case as we can, they can do so.

3888. Do not you think that Hull is a difficult port to make in bad weather?—I know nothing about it in bad weather.

3889. You have had vessels built there, have you not?—Yes; and they have always gone out in fine weather.

3890. Do you mean to say that you cannot say anything about Hull?—No, I cannot.

3891. At any rate you have not told me that you consider that Hull is no exception to the rule?—No; I do not know anything of Hull.

3892. Do not you think that it would materially assist the pilotage established under this Bill if there were two different rates for summer and winter?—No. How can you define it? There is bad weather in summer as well as in winter in our ports.

3893. You have longer days in summer?—Yes, but we have thick weather in summer.

3894. Do not you think that you will find a sufficient number of men willing to risk the bad

Mr. *W. M. Moss.*

3 May 1870.

weather in winter, if they got 50 per cent. more in winter than in summer?—I should not like it.

3895. The fact is, you strongly approve of the present system?—Yes.

3896. Mr. *Grieve.*] You say that you consider that the apprentices should be reduced from ten to six in each boat?—Yes.

3897. Mr. *Gourley.*] You stated that you had several classes of pilots?—Yes.

3898. Do you mean by that that some have passed a more efficient examination as pilots of ships than others?—No, they all pass the same examination; but they must take their class after a probation of a certain number of years. No young man can get first-class services to perform until he has served a preliminary term of two years over his 10 or 11 years.

3899. Do you make any distinction between the classes of men, with regard to the description of vessel that they shall have charge of?—Yes; a young man gets a certificate, first for a vessel of 250 tons, after three years' servitude and two exemptions; that is the fourth class. The third class consists of men who are allowed to bring in vessels of 500 tons, drawing 15 feet of water; and what I call the second class, which has recently been instituted, consists of men who are qualified to bring in vessels of 1,000 tons, not drawing more than 18 feet of water.

3900. Do you consider that there is more risk in passing in and out of the Mersey with vessels of a large draught of water than with vessels of a smaller draught of water?—In low water we have only 10 feet on the bar, increasing from 32 to 42.

3901. You would not find large vessels running for the bar before there was sufficient water, I suppose?—No, we make these classes for prudential reasons; some men, from their character, are not fit to have the charge of a vessel of 1,000 tons.

3902. Do you think it more difficult to navigate a vessel of 1,000 tons than it would be to work up a small brig of 250 tons?—There is no difficulty in bringing up a steamer of 1,000 tons; the difficulty is in the sailing vessels principally.

3903. Is not the classification merely a matter of arrangement?—It is on the score of prudence. The committee that I have had the honour of managing includes four practical men, who are old retired ship masters.

3904. Does the same rule apply to vessels inward bound, as applies to vessels outward bound?—Yes.

3905. By that rule it would appear that all the pilots are not equally efficient?—No; that is the beauty of the system.

3906. Would it not be a much better system if all were compelled to pass the same examination?—They do so, but they cannot go into a higher class of examination. That is the result of the system; it keeps "an inferior" man down to a lower classification.

3907. Have you any rule by which the pilots are compelled to go to sea in rotation in fine or bad weather?—Yes; I have known a pilot boat go to sea when the mail packet boat did not go out, and the regular channel boats did not go out.

3908. Are they compelled by regulation to go out?—Yes, by a regulation of the pilotage board.

3909. Do they go to sea in all weathers?—Yes; I remember the case of a boat going out in a gale of wind, when the mail boats did not attempt to go out.

3910. What is the cost of one of those boats?—I can hardly say; I understand the cost is from 2,500 *l.* to 3,000 *l.*; I know nothing of it from my own knowledge.

3911. Do the pilots receive monies in addition to their pilotage fees, or are these boats supported by contributions from all the pilots?—Each boats' earnings are thrown into a common fund, and the men divide the amount in certain proportions, which they themselves regulate, under the approval of the committee. I have had no complaints made on that point whatever; the earnings are divided among each boat in certain proportions. Everything they do must have the approval of our committee.

3912. You said that if the present system were abolished, you did not think there would be an ample supply of pilots?—I do not think I made use of those words.

3913. I understood you to say that if the present system were abolished, and we had the voluntary system, you would not have an equal supply of pilots?—I said that if the present system were abolished, I did not think in the course of a few years we should have the same efficient system of pilots as we have now. I dare not contemplate the taking away of the present system. I speak now in the interest of the port of Liverpool, which would be dangerously imperilled by vessels coming in and getting upon those banks; we have had very close touches of it now.

3914. Do you think that under the voluntary system the number of pilots would be less than it is now?—Yes; under the present system they are compelled to give their services, and it would be, under the proposed Bill (using a vulgarism), "Heads I win, tails you lose."

3915. Do you not think that the fact of Liverpool being so dangerous would always create a supply in accordance with the demand?—Not if the pay is limited. If there were a free trade on both sides, you must let the men charge what they like; but that I would not give. I consider that we should then pay three or four, or perhaps 10 times the amount of pilotage. Now the men are confined to certain rates, which are the same, winter and summer.

3916. Do you not always find an abundant supply of masters and officers for your ships under the voluntary system?—There is no comparison between the cases in my opinion.

3917. Is it not as necessary to have competent masters to navigate the ships as it is to have pilots to pilot them?—They are not comparable; the one is compulsory, and the other is quite voluntary.

3918. Do you change the buoys very often by which the channels are marked?—Yes.

3919. How often do you do so?—It depends upon the weather both inside and outside; and also from the freshets from the river.

3920. Do you do so once in 12 months?—Captain Hills speaks upon that.

3921. How do you notify the change in the charts?—The chart is published by the Marine Surveyor. We cannot publish a chart for every change of the buoys; but every 12 months we publish a chart, and in the meantime public notice is given of a change detrimental to the navigation.

3922. So that all captains become acquainted with any material changes in the marks?—All captains

captains in the port will know of it; but captains coming from other places cannot be supposed to take notice of every little placard published in Lloyd's List.

3923. Is it not possible to find your way into the Mersey by the chart without the assistance of a pilot?—No, not in thick weather.

3924. You advocate that all vessels taking the Mersey should be in charge of pilots?—Yes; I think the exemptions are far too numerous now.

3925. Whom would you hold responsible in the event of a pilot putting a ship aground upon one of the banks?—I should make the pilot responsible.

3926. Mr. *Cave.*] Do the pilots divide their earnings according to the work done by each pilot during the year?—Each boat does; it is not thrown into one common fund.

3927. If one boat has been at sea more than another, it gets more, I suppose?—No; a ship can only employ the pilot that she takes out with her. Supposing a boat goes out with 30 on board, then she can only board 30 men; she then comes back and takes her turn again.

3928. The principle of payment simply depends upon the number of men each boat has on board?—Yes; if one boat has more men on board than another, the system remains the same, because more men have to be paid out of her earnings.

3229. Each pilot gets the same amount of money at the end of the year, does he not?—Each pilot of his class.

3930. Is that without reference to the size of the boats?—They must do their work before they get paid at all.

3931. What I mean is this: that it is a sort of salary; it is not the actual payment for the amount of work done, because each pilot is supposed to do the same amount of work according to his class; is it not so?—Yes; but the payments vary a little.

3932. What is the principle upon which they vary?—A boat may be unlucky and have only small vessels; but another boat may get very large vessels, according to her cruise.

3933. That is put in the common fund, is it not?—No; it is put in the common fund of each boat.

3934. Are not the earnings of each boat divided among the men in the boat?—Yes.

3935. Does it not depend upon the work the boat does?—Yes; it may happen that the boat may go out upon one day and ship all her hands in vessels of a large class, and another boat may take the next turn and get only small vessels, and earn half the amount.

3936. *Chairman.*] I suppose the men earn much about the same?—Yes.

3937. Is there much difference between the highest and lowest amount earned?—There is not much difference.

3938. How is the outward pilotage managed?—The outward pilotage is managed thus: it is the law that the pilot bringing a vessel in has the preference of taking her out again.

3939. Does he wait to take her out again?—Either he or some one out of the same boat.

3940. Is there not a considerable waste of labour in that system?—I do not think so.

3941. Do not they spend a good deal of their time ashore?—Some do, and spend it badly. I punish them when I get hold of them.

3942. Is it not the case that a good deal of time is wasted in that way?—No. I do not agree with that.

3943. It has been alleged so, has it not?—Yes; it is the general idea, but it is not the fact.

3944. You do not agree with it?—No.

3945. Do you estimate the falling off of employment, if this Bill is passed, at 25 per cent.?—I am afraid to represent it at all. I only say the consequence will be very serious.

3946. You stated that you did not think it would be half, but you thought it might be 25 per cent.?—Yes, I should not be surprised if it was one-third.

3947. Then if this Bill were to pass into law, one-fourth fewer pilots would be required; is that your opinion?—No; I think they would all be required.

3948. Why?—Because in very bad weather every vessel would claim a pilot outside, and then the number would only be adequate.

3949. Do you think it necessary to keep up the number to such a point as to supply vessels in all kinds of weather?—Yes.

3950. What is the class of vessels that you think would cease to employ pilots in any weather?—Many vessels in fine weather, such as the small class of steamers going foreign, would cease to take pilots.

3951. From Liverpool the coasting steamers are compelled to carry pilots, are they not?—No.

3952. Under the Act they are, are they not?—No, there is an arrangement made by which certain of the coasting steamers have compounded for the pilotage rate by paying 1*s.* a foot.

3953. They pay 1*s.* a foot to be relieved from the necessity of employing pilots, is that so?—Yes.

3954. I presume they would cease to pay it if the system were voluntary?—I cannot answer that.

3955. Do those vessels employ pilots in bad weather?—Yes, I have known them to employ pilots in bad weather.

3956. Do the steamers plying between Liverpool and Belfast ever employ pilots?—I cannot speak to any particular case; I know that vessels that are exempt employ pilots in very bad weather.

3957. Is it not a very rare thing for vessels coming from Dublin or Belfast, to employ pilots?—Yes.

3958. What is the annual sum that they pay now to be relieved from the necessity of taking pilots?—£.1,717.

3959. Is that paid by the coasting steamers?—Yes.

3960. They pay 1,700*l.* a year to be relieved from the necessity of carrying pilots?—Yes.

3961. That is the tax upon them now?—It is hardly worth while to call it a tax.

3962. They do not employ pilots, do they?—No, except when they want them.

3963. They never do want them, do they?—It is very rare that they do so, but the service is there ready prepared for them day and night.

3964. I presume those vessels would give up making a payment to the pilotage board, if compulsory payment were abolished?—Yes.

3965. Are there not a considerable number of vessels almost in the same category going to

Mr. *W. M. Moss.*

3 May 1870.

Mr. *W. M. Moss.*

3 May 1870.

France, Havre, and the Mediterranean?—Many of them would be; I have vessels going to France, but I should not cease to employ pilots.

3966. You think that even in short voyages it is necessary?—Yes, 14 or 16 days.

3967. In your opinion, what is the class of vessels that would cease employing pilots?—Many of the same class of vessels as my own.

3968. Some owners are not as prudent as you, are they?—I will not say that; some would like to save their money.

3969. I presume you do not pay money unless you think it necessary?—I think it would be penny wise and pound foolish not to employ the pilotage system.

3970. You pay for the pleasure of maintaining the pilotage system, do you not?—I would not, if I did not think it necessary; I do not pay it for pleasure; I think that it is necessary to maintain the service as it is.

3971. I am assuming that the service is a voluntary one instead of a compulsory one; should you then continue to employ pilots to keep up the pilotage system, or because you would think it necessary?—If all my neighbours ceased taking pilots, I might follow suit, but I do not think it desirable or prudent to do so.

3972. You heard what Mr. Lamport said, did you not, that it would be unjust upon the owners to throw upon them the liability for the acts of the pilots whom they are compelled to employ; do you agree with him?—Yes, I think so; if the pilot is to usurp the privilege and the power of the captain of the ship.

3973. Would you retain the power, but not relieve the owner from liability?—Certainly not, this rule has lost me many thousands of pounds. I mean the captain to retain power, and owner to be liable; the present system has cost me thousands of pounds.

3974. In cases of collision, do you mean?—In one case of collision, and in many cases of a vessel not answering her helm, where the captain was afraid to speak to the pilot.

3975. Do you agree with all that has been said as to the difficulties that occur, and the hardship which arises, from the present state of the law?—Yes; with the understanding that the pilot must not have the control of the ship; the captain must retain his authority, and the pilot merely serve as the adviser of the captain.

3976. Even though you compel the owner to take a pilot, you think the liability should be thrown upon the owner?—Yes; I do, decidedly.

3977. Even where the pilot is in fault himself?—The pilot cannot be in fault, except with the captain's sanction.

3978. Supposing it is a matter upon which the captain is not informed; for instance, as to the navigation of the port?—That is a very nice question; I cannot answer it.

3979. Would you throw the responsibility upon the owner in that case or no?—I cannot clearly understand the result.

3980. I suppose a collision may occur through the negligence of the pilot, or through his not properly informing the captain as to the navigation?—I think the captain ought to be the best judge of that. I had a striking case myself with regard to a collision while the vessel was in charge of a pilot.

3981. The collision may have occurred in consequence of the captain not being properly informed as to the navigation of the river, may it not?—I would still throw it upon the owner, leaving the captain the control of the ship in the nice points of navigation on the management of the ship.

3982. Do you mean to make the captain answerable for the acts and negligence of the pilot, even upon points of which the captain knows nothing?—That is a very nice question. I assume that the captain understands sufficient of navigation to avoid a collision, according to the rules of the road.

3983. I assume that a captain knows nothing of the navigation of the port, and the danger of the shoals, and so forth; and I assume that an accident has occurred through the pilot not having informed the captain as to the state of the navigation, would you then throw the liability upon the owner?—It is a very serious question; I should not like to give an opinion upon it without further consideration.

3984. It is a very material point when you give an opinion with regard to this portion of the Bill?—I cannot conceive a case exactly as you describe it.

3985. I presume that an owner of a ship may be made liable to the owner of the cargo for the negligence of the pilot?—No.

3986. Would you hold him responsible in such a case?—That is the same question in another form.

3987. Surely that is a case which you can understand?—I cannot understand the case.

3988. I presume that vessel, with the cargo, is lost through the negligence of the pilot, and the question arises between the owner of the cargo and the owner of the vessel; would you make the owner of the vessel liable, even though he has taken a pilot under compulsion?—I still think that the owner should be responsible if the captain has had power to interfere with the action of the pilot, and if he understands his business.

3989. Even though he knows nothing about the navigation himself, and has been compelled to take that pilot, would you still hold him responsible?—It is a very difficult question for me to answer.

3990. I want to know how far you carry your rule?—Supposing a pilot puts a vessel upon a bank, could it be considered the fault of the owner, or an accident?

3991. I will presume that it is through the negligence of the pilot; would you then make the owner of the ship responsible to the owner of the cargo?—No; it would be a maritime accident, and an accident which the owner would not be responsible for any more than for an accident of the seas when the vessel was under the charge of the master or mate. It is simply an accident of the sea.

3992. Mr. *Norwood.*] You are aware that, at present, the decisions in law have made the shipowner responsible for bad navigation on the part of his master and mate, in respect of the goods on board his ship?—Yes, I think that that has been constantly the case.

3993. In event of your opinion as to the liability of the shipowner in compulsory waters becoming law, do not you think that you would be responsible for injury to the goods on board your ship, even through the fault of the pilot?—No, I do not think I should; you must clearly prove wilful negligence before you can make the master responsible.

3994. This is rather an important question. I presume you ground your argument for the necessity of the pilotage system upon the exceptional and difficult navigation which an ordinary master is not qualified to cope with?—Yes.

3995. And yet you maintain that your captain, whom you state to be unqualified to navigate your ship, should have responsibility over the pilot who is qualified?—Yes, certainly I do; because a pilot coming on board a vessel knows nothing whatever of the ship, and is not capable of taking command of the ship from the peculiarities of her steering qualities. A good deal depends upon whether she has a right or a left hand screw, whether the vessel is by the head or the stern, and the captain and mate alone understand that ship thoroughly.

3996. Is it not the case that, under the present state of things, a master of a ship is bound to navigate his ship. Take one of your steamers, she enters into the compulsory pilotage waters, the pilot takes charge of the vessel, that is, he cons the vessel, but the crew navigate the vessel, either your master or mate must be upon the bridge by the side of the man to give the orders to the engine-room and direct the movements of the man at the wheel?—Yes.

3997. Is not the present system one that meets your views as to the responsibility of the shipowner in navigating his ship?—No; I think that the pilot has far too much power; he is not qualified to take the command of the ship.

3998. I take it from you that, though the master of one of your ships is not qualified to navigate his ship up the Mersey to Liverpool, yet he is bound to know more than a qualified man, and he is bound to take the supreme command out of the hands of a qualified man?—No, you misunderstand my replies; I say that the pilot is the adviser of the captain as to danger; he is not put on board to navigate the ship. I assume that the captain and officers of the ship are the only men capable of navigating the ship from its peculiarities.

3999. Your ship is coming up the Mersey and the pilot tells the captain to starboard his helm, and result is the ship runs upon a sand bank, and the pilot has taken her wrong altogether; according to your argument your captain is bound to know better than the pilot, and he ought to resist the pilot's advice?—The captain is bound to follow his advice on points not within the captain's knowledge.

4000. Then in every case he is not to supersede the pilot?—The pilot is not to supersede the captain in the working of the ship. The pilot is to give instructions what course to take and how far he may go on that tack, and how far he may reach on the other tack.

4001. Is not that the case at present?—No, the pilot interferes too much.

4002. Has the pilot supreme command on board the vessel?—Yes, in the present anomalous state of the law the captain is afraid to utter a word. At a critical moment, supposing the captain says, Pilot, you ought not to do that, and the pilot, under the supposed influence of the captain's authority, hesitates for one instant, the safety of the ship is dependent sometimes upon the immediate action of the party in command, and the ship may be lost.

4003. Such as in a case of collision?—Yes, and in other cases too.

4004. Mr. *Brassey.*] Those mistakes may occur in the handling of a ship?—Yes.

4005. Do you think that the captain should maintain the handling of the ship in his own hands?—Yes, following strictly the pilot's instructions as far as avoiding certain danger is concerned.

4006. You mean as far as the danger of navigation is concerned, apart from the danger of seamanship?—Yes.

4007. Mr. *Gourley.*] Supposing a vessel belonging to yourself should, by the negligence of the pilot, or by erroneous instructions given by the pilot or the master of your ship, be put upon the bar of the Mersey and wrecked, whom would you make responsible for the negligence of the pilot; the owner or the pilot?—It is an accident of the sea.

4008. The pilot is supposed, in the navigation of the Mersey, or any other waters, to have a sufficient local knowledge so as to take a ship safely through those waters; but supposing that by an act of negligence or carelessness he puts the vessel upon the bar, and the vessel is wrecked, would you for such negligence make the owner responsible?—The owner would not be responsible.

4009. Would you make him responsible in the eyes of the law for the bad navigation of the ship?—No, the owner has fulfilled all the obligations of the law by employing a pilot; it is clearly a case of accident.

4010. You would make the pilot the person responsible for the accident?—Yes, the pilot would lose his berth.

4011. Mr. *Graves.*] I suppose you never want the shipmaster to lose his command?—No.

4012. And if the pilot did erroneously direct him in the Channel up the Mersey, if the captain is an experienced man, the captain must take upon himself to say, "You are going too much starboard;" and he would still retain the authority in his own hands?—Yes; even under the present law the master dare not interfere, because a valuable half minute might be lost, and his ship would get into danger, and the pilot would say in defence, "The captain said so-and-so; and I hesitated."

4013. *Chairman.*] You told us that you are reducing the number of apprentices with the view of reducing the number of pilots?—Yes; the earnings of pilots are now being so much reduced that we shall not have sufficient to pay for them all.

4014. What is the number to which you are reducing them?—We are not reducing many; we let them die off.

4015. Have you fixed any limits to which you would reduce the number of pilots?—No; I think the port of Liverpool ought to have from 230 to 250 men.

4016. And you have how many now?—Two hundred and eighty-four.

4017. That includes the licensed apprentices, does it not; but you are gradually reducing the number by reducing the number of apprentices?—Yes.

4018. And you are doing that with reference to the incomes of the men, not with reference to the necessity for a less number of pilots?—I should take care that we always have a sufficient number of pilots; I think it is for the benefit of the shipowners that we should have an ample supply of men.

Mr. *W. M. Moss.*

3 May 1870.

4019. You are reducing the number with reference to the income of the pilots, are you not?—If the law passes abolishing compulsory pilotage and the immunity, many more vessels will have their masters qualified.

4020. I gather that, according to your present arrangement, you are gradually reducing the number of pilots?—Yes.

4021-2. And that is because you find that the incomes are likely to fall off?—Yes; but I must repeat my answer, that we shall maintain a full and efficient service of pilots.

4023. In the interests of the pilots, you thought there were too many?—Yes; because of the earnings being so considerably reduced at the end of next year.

4024. Therefore, the reduction in the number of pilots is mainly owing to the contemplated diminution of their earnings?—Yes; I do not want to increase the number.

4025. Is that reduction carried out with reference to the reduction in income which is likely to take place from the cessation of that sum which is paid for the foreign pilotage?—That was the first reason; and then the agitation caused by this proposed Bill, and the possibility of the men and masters and mates of ships taking certificates for pilotage.

4026. And you have already begun to make provision against this Bill coming into effect?—We have been waiting your decision, partly.

4027. You have been reducing the number of apprentices in the event of this Bill becoming law, have you not?—Though the tonnage is increasing, the number of vessels that contribute to the pilot fund is reducing, or rather not increasing.

4028. I suppose the change that has taken place from sailing to steam, and the more regular arrival of vessels also produces an effect upon the number of pilots required?—Yes, but there may be days when 100 vessels may come up, and then the services of every man in port are necessary.

4029. But that is much less the case now, when steam is so much more used than when sailing was more used?—Yes.

4030. Do you propose to reduce the number of pilots in reference to the cessation of the amount of money paid by the State?—We shall not decrease the number.

4031. Has there been any increase in the number of boats?—No, not since I have been connected with the pilot service.

4032. You have always maintained the number at 12?—Yes.

4033. It is not proposed now to reduce the number of boats, is it?—No; I think that the system of boats outside is one of the safeguards of the port.

4034. Then you only intend to reduce the number of pilots?—No, we are not going to reduce the number.

4035. You intend to reduce the number by reducing the number of apprentices?—That will be for after years.

4036. Mr. *Grieve.*] Have you any statistics of the pilotage receipts for the last 10 years?—Yes, you will have that from the superintendent of pilots.

4037. Have they been gradually reducing the amount received by each pilot?—Yes; they have been gradually reducing the amount; they used to receive 240 *l.* or 250 *l.* a-year, now they receive 200 *l.*; next year they will be reduced 30 *l.* or 40 *l.* a man.

4038. Mr. *Graves.*] In ports where pilotage is voluntary, the pilot is practically the servant and the free choice of the shipowner; is not that so?—Yes.

4039. I presume that many steam vessels belonging to Liverpool go to ports where the pilotage is purely voluntary?—There are many ports where the pilotage is voluntary.

4040. But some of them go to where it is voluntary?—Yes.

4041. Is it not the practice on the part of the steamship owners of Liverpool to protect themselves from liability arising from the default of the pilot, by a special clause in their bill of lading?—Yes.

4042. They are not liable for the default of the pilot?—So they allege. The bill of lading supersedes the law upon that point.

4043. Does not that special contract between the shipper and the shipowner render altogether harmless the responsibility which the Honourable Member for Hull was speaking of?—I do not think that we have any responsibility at all.

4044. Do you consider yourself, under that special clause in the bill of lading, exempt from all responsibility arising from the default of the pilot?—Yes.

4045. Mr. *Cave.*] In the case of voluntary, and in the case of compulsory, pilotage, supposing a mishap arises from the misconduct of the pilot, does the ordinary policy of insurance cover it in both cases?—Yes; that is my belief.

4046. Mr. *Norwood.*] With reference to the question just put to you by the Honourable Member for Liverpool, as to clauses in the bill of lading, I have no doubt the bills of lading contain a great many clauses; you are perfectly well aware that in law those clauses are not worth a great deal?—I am not a lawyer.

4047-8. Do you consider that those clauses which are put in your bills of lading are perfectly operative in law?—We operate upon them as far as we can; it is a contract between parties. We have had legal advice from three justices on the subject. We introduced a clause for our own protection, under very high legal advice.

4049. Are not even those clauses a very frail shield occasionally?—I have not heard of such cases.

4050. Mr. *Gourley.*] I suppose that shipowners and merchants cannot make contracts in their bills of lading to overrule the law of the land; do you know of any cases that have come under your notice where such contracts between shipowners and merchants have been held to be illegal?—It is my belief that it is a contract between the shipper and the shipowner, and that it ought to be as good as any other contract; what the law may say upon that point I would rather not discuss. So far I am quite satisfied to get free from liability under the clauses I have got. I am not going to say that it is illegal.

Mr. ROBERT GALLOWAY, called in; and Examined.

4051. Mr. *Graves.*] I BELIEVE you are a shipowner at Liverpool?—Yes.

4052. You are a member of the Mersey Docks and Harbour Board?—Yes.

4053. You are one of the four nominee members of that board, are you not?—Yes.

4054. You are nominated, I think, by the Conservancy Commissioners?—Yes.

4055. What does the Conservancy Commission consist of?—The First Lord of the Admiralty, the Chief Commissioner of Woods and Forests, and the Chancellor of the Duchy of Lancaster for the time being.

4056. So that the nominee members of the board would consider themselves entirely independent of public opinion as regards their election to that board in Liverpool?—Perfectly so.

4057. In the administration of the affairs of the trust that nomination exists; in the actual daily executive, so far as the port is concerned, is there any Government interference or control?—Yes; the principal officer of conservancy is what is called the Acting Conservator. Admiral Evans, for the last 28 or 30 years, has been Active Conservator of the River Mersey.

4058. He is also appointed by the four Commissioners you have named, is not he?—Yes.

4059. And without the interference at all of the Mersey Docks and Harbour Board?—He is not an officer of the board; he is the Acting Conservator, which title best describes his functions.

4060. Representing, in fact, the government of the Mersey?—Yes.

4061. Is this a mere form of surveillance in addition to the surveying staff of the Mersey Board, or is it a reality?—The superintendence of Admiral Evans is as perfect and complete as anything could well be; no change of any importance is made without his authority; he is in constant communication with Captain Hills the marine surveyor, and he makes frequent visits to the port and finds that all is going right himself.

4062. So that in any change of buoy, or change of any landmark of any kind, or changes of the banks, he is invariably consulted and informed?—No change is made without his authority and express sanction.

4063. And his veto at any time would prevent any action on the part of the executive?—Certainly.

4064. Does he publish any official report?—He publishes annually a report to the Commissioners of the Admiralty: I have one or two of them here.

4065. Does the conservator express any opinion with reference to the pilotage of the Mersey?—He has on various occasions expressed his opinion; I have here his opinion expressed in 1853, and I have his opinion expressed last year. If the Committee desire it, I will read it. It is very short. Admiral Evans says, "I consider it highly dangerous to allow any other than the small coasters daily running in and out of the sea channels of the port of Liverpool to navigate those channels without a pilot, and for the following reasons: First, the only marks for those channels (owing to their distance from the land) are the buoys by day and the lightships by night, both of which are daily liable to be driven from their moorings by accident or collision, with the prodigious number of vessels passing them. Secondly. The constant change of the banks renders it necessary to make corresponding alterations in the position of the buoys, due notice of which can only be immediately communicated to the pilots, and which is done by means of the coast telegraph, and by the pilot boats themselves to each other. Thirdly. The collisions which take place are frequently attended by one or more vessels sunk in the channels; and although the wrecks are removed as speedily as the state of the weather permits, yet a vessel without a pilot may be lost on one of them, and thus entail a deplorable loss of human life. It has been my most gratifying duty to bear testimony, in my annual report, as acting conservator of the River Mersey for the last 10 years, to the efficient and highly meritorious conduct of the Liverpool pilots; and I should deeply deplore any change which might tend to derange or break up an establishment which has been so satisfactorily and efficiently conducted by men who, having served a seven years apprenticeship, are kept continually on their stations under the supervision of a superintendent, and under the control of a committee of the merchants and shipowners of the port."

4066. Will you read the last report?—The last report simply bears Admiral Evans's testimony to the fact, that the pilot service of the port is maintained in a creditable state of efficiency. In this he points out that 68 casualties occurred in the year 1869. Only one of these vessels was a vessel of any size with a pilot on board; all the rest were small vessels without pilots.

4067. Are you a member of the Pilotage Committee?—I am.

4068. Is the committee in favour of maintaining the existing system?—The committee consists of 12 members, and 11 of the 12 are strongly in favour of maintaining the present system.

4069. Is it generally considered to have worked well in Liverpool?—It has given pretty general satisfaction; almost universal.

4070. Are the complaints you receive generally directed against individual pilots or against the system?—They are generally directed against individual pilots; very rarely against the system; we have occasional complaints, but they are not of a serious nature.

4071. Are all the complaints that are made inquired into?—Yes; they are inquired into by the Pilotage Committee sitting weekly in Liverpool; and some punishment is awarded according to the flagrancy of the offence.

4072. What does the punishment generally consist of?—A fine, suspension of license, total withdrawal of license, and dismissal of service in grave cases, which are very infrequent.

4073. Do you consider that the knowledge which the pilots have, that they are liable to be called before the committee sitting weekly, has any strong influence upon the men?—Yes; they do not like to be called before the committee.

4074. You must have given some consideration to the pilot system; do you believe that in any port the voluntary system might be maintained with advantage?—Yes; I think in certain ports, which might be named, where the navigation is simple

Mr. *R. Galloway.*

3 May 1870.

Mr. *R. Galloway.* 3 May 1870.

simple and easy, the voluntary system might not only answer well, but it ought to be adopted, especially if there is any port of refuge near, where a vessel might run to in the event of sudden gales coming on.

4075. I suppose you prefer a voluntary system as a principle, so far as you, as a shipowner, are concerned, if it could be done without danger?—Wherever an efficient service can be maintained by a voluntary system, there I would be in favour of that voluntary system.

4076. Do you believe that the voluntary system could be applied to Liverpool?—I do not.

4077. Why do you think that?—I think it would be impossible to keep up a sufficient supply of pilots for inward-bound vessels. I do not think the men could be kept upon their stations, unless they were certain of employment.

4078. Do you consider it of importance to maintain these stations?—Of the highest importance; and I consider the system is a very beautiful and complete one. The pilot boats cruise on four stations, as indicated on that chart. The outer vessel, after having boarded all her pilots, telegraphs to the superintendent that she has boarded all her pilots, and she forthwith proceeds into Liverpool. The moment the superintendent hears that, he sends out another boat, not to take the place of the one inward bound, but the one nearest to Liverpool, and they shift out station by station; and so the service is maintained in that way.

4079. Do you consider it a fair principle which would lead all to contribute towards the expense of maintaining the present system?—Yes, I think it is a fair principle that a general rate should be levied for that which is for the general good.

4080. Do you want an uniform charge; do you think an uniform charge is of an advantage to the shipowners?—Yes, I think it is a great advantage; it enables the shipowners to know what the charges are, and it prevents the possibility of collusion between the shipmasters and the pilots.

4081. At present the shipowner has the right to demand a pilot at any time?—Yes, at any time. Even the small vessels that are exempt are entitled at any time, if they require the services of a pilot, to demand his services, and the pilot is bound to render his services.

4082. You heard what Mr. Lamport said about the double moral obligation existing at present upon a pilot to be at his post?—Yes, but I heard him imperfectly upon that point.

4083. He said he considered that there was a double obligation; an obligation under the regulation of the Mersey Docks and Harbour Board, and also an obligation implied by the knowledge on the part of the shipmaster that he would find a pilot at a certain station; do you believe that has a wholesome influence over the men?—Yes, I agree in that.

4084. And if the system were a free and voluntary one, that moral obligation would be to a certain extent diminished?—Yes, with many men.

4085. And they would fall back upon the simple question of regulations?—Yes.

4086. It is proposed by the Bill to leave the pilots under the control of the local authorities as at present; one of your regulations being that those boats should be on their stations, supposing this Bill passes, and it is entirely optional for a captain to take a pilot or not, do you consider that that simple obligation will be sufficient to induce the men to remain at all times upon their stations?—I do not.

4087. Have you considered at all whether there is any middle course between perfect freedom and an obligation upon all to pay?—I do not think that a middle course can be adopted in Liverpool.

4088. Have you formed any opinion as to a perfectly free system?—I have not; I do not think it would work in Liverpool, in consequence of the exceedingly dangerous and difficult nature of the entrances. The difficulty is not so great with outward-bound vessels; the difficulty is to get a pilot when inward bound, at the moment of your sorest need, which is just the time when he would be absent most likely under the voluntary system.

4089. If the system is altered, it would be more to the pilot's advantage to have a perfectly free system under the voluntary system?—Yes, and it only would be bare justice to them.

4090. You have heard the opinions expressed as to the immunity of owners from liability; have you, as a sailing ship owner, formed any opinion upon that subject?—I hardly know why the law was ever made as it is; it is so anomalous, and it, in my opinion, would not be detrimental to the interest of the sailing ship owners to have the immunity clause altogether withdrawn. I think there would be a rough average justice in the events as they occurred; I might fall in for a loss to-day, but I might escape to-morrow. For example, one of our vessels, the "Ocean Wave," was coming up the river in charge of a pilot; she ran into a vessel at anchor, and the court held, that because the master had a pilot on board, and that all his orders were obeyed, the shipowner was not liable; the owner has escaped the penalty in that case, but the next accident that may occur with the vessel, may be with our vessel at anchor under similar circumstances, in which case the decision would be of an opposite tendency, and I would be the loser.

4091. If the immunity were done away with, you do not think it would be any additional burden to the shipping interest?—No; I think it might be justly done away with, and I do not think it would be greatly complained against.

4092. Do you consider that it would tend to greater freedom from casualty if it was done away with?—I think, if the law were altered, it would tend to lessen the casualties, for this reason: in that event the energies of both the pilot and master would be combined to prevent accident, whereas now the action of the master is, to some extent, paralysed the moment a pilot steps on board. He is afraid to interfere, because, by interfering at a critical moment with the pilot, an accident might be caused, the responsibility of the pilot would cease, and it would fall upon his owner; and the fear of the captain bringing his owner in for damages paralyses his action.

4093. Do you see any difficulty in defining the duties of the pilot, so as to reconcile his duties on board the ship with that liability you speak of?—I agree with the preceding witnesses, that the pilot should be put on board a ship for one simple duty, namely, the supply of local knowledge, of which the master is deficient.

4094. Do you consider that a compulsory payment is necessary to the maintenance of an efficient

cient pilotage system in such waters as the Mersey?—Yes, I am strongly of that opinion; and I am in favour not only of compulsory payment, but the compulsory employment of a pilot; also, because it seems to me that compulsory payment is necessary to maintain the service in a state of efficiency, and compulsory employment is necessary to keep the channels free, as far as possible, from obstructions, and thereby save life and property, which, after all, is the primary object of the service.

4095. The one you would enforce in the interest of the pilot service, and the other you would enforce in the interest of life and property?—Yes.

4096. Mr. *Stevenson.*] You would draw a distinction between compulsory payment and compulsory employment?—Yes.

4097. You would have both? Yes. First I would have compulsory payment, in order to procure a necessary supply of pilots; but I would not be satisfied that vessels should navigate these dangerous waters themselves, because a want of the knowledge which our pilots can supply might tend to obstruct the passages in consequence of wrecks.

4098. How would you enforce compulsory employment?—There would be some difficulty in enforcing it; it might be left to the pilotage authority of the port to fine a vessel that ran in without a pilot, when a pilot offered his services and could have got on board.

4099. You would fine him either in penalty or double pilotage?—Something of that sort.

4100. Of course you are very unwilling that anything should be done to derange or break up the system of pilotage at Liverpool?—Yes.

4101. Do you consider that the simple change from a compulsory to a voluntary system would produce that effect if everything else was left untouched?—Yes, I think it would produce that effect.

4102. Would you expect that the authority of the Pilotage Board would be diminished by it?—Yes, I think it would be impossible for us to force men to keep their stations outside these banks in all weathers on the mere chance of being employed at some fixed rate.

4103. If the pilotage service is worth following, it could only be followed upon the condition of complying with those regulations, or else the men's licenses would be withdrawn?—Yes.

4104. Would not there be found a sufficient number of competent men willing to undertake all the responsibilities of that service for the sake of the employment it afforded, even under the voluntary system?—No; the security of the employment that would be afforded is very slight in some cases. In very fine weather the employment would be altogether dispensed with, but in bad weather every ship would very likely wish to have a pilot; I think, under the proposed system, that would be the very time when pilots could not be obtained for inward-bound vessels. There is less difficulty with outward-bound ships, because an outward-bound ship does not go to sea in bad weather. The thing is to have a pilot at a certain distance from the port waiting for inward-bound vessels, at all times and in all weathers.

4105. The pilot cutter remains at sea until all her men are boarded; then she comes in and makes room for another one to go to the same station. What is to hinder that system remaining in force after the change from a compulsory to a voluntary system?—Men could not, then, be got to maintain the pilotage service with its difficulties and dangers and hardships; under the system proposed by the Bill, you make it optional for ships to take or reject the pilots, and yet you fix the rate at which the pilots shall be paid; it seems to me a very onesided obligation, and I do not think you could get the best class of pilots to keep the sea on those terms.

4106. Do not you think the experience of other ports might make you change your opinion?—It might, but I know nothing of other ports; I only know that there is no port in Great Britain so difficult, and where the access is so dangerous in its navigation, as Liverpool.

4107. A onesided system already applies in Liverpool to exempted vessels?—Yes; my own personal opinion is, that there should be no exemptions, except in those cases where the masters or mates are duly licensed as pilots.

4108. So far even as that exemption extends, it diminishes the encouragement to regular pilots to pursue their calling?—Yes, but no one can object to anything so reasonable as that, if the man is a qualified pilot. The great object is to keep the navigation clear, and if the master of a vessel is qualified it would be quite unnecessary to have another pilot on board.

4109. Mr. *Brassey.*] It is very difficult, is it not, to draw a hard and fast line between the duties of a pilot, and the duties of a shipmaster?—I do not think it is very difficult; I think the pilot should simply supply the local knowledge of which the master is deficient.

4110. Whatever rules you lay down you would have to leave the captain to his discretion as to the occasion which would compel his interference with the pilot?—I do not put it in that way. I say that the captain should always have the responsibility upon his own shoulders; he should always handle and control his vessel himself, and he should apply to the pilot simply for local knowledge in passing through dangerous navigations. At present the pilot gives orders to starboard or port the helm of the vessel as the case may be. He should not do that, he should say, "I want you to put the vessel there," and the captain should give the necessary orders. There is a wide distinction between a pilot taking the handling of a vessel which he does not understand, and simply asking her to be put in a certain position.

4111. Are you acquainted with the Admiralty regulations as to the responsibility of the captain or the pilot?—No.

4112. With regard to the pilotage fees in the port of Liverpool at the present time, do you think they are moderate in amount for the service rendered?—Yes, very moderate.

4113. And under the voluntary system, if you have proper regulations for administering the service after the change has taken place, and you compel the vessels to keep their present stations while the employment of pilots is only voluntary, would you anticipate that larger fees might be obtained from vessels which did employ pilots?—Yes; if we are to keep up the present staff of pilots on the stations, with their present boats, the vessels which take pilots must pay more, because the present income is not in excess of the requirements, and it must be raised in some way if the system is to be maintained.

Mr. *R. Galloway.*
3 May 1870.

4114. And you think it is doubtful if a service as efficient as you now have could be maintained, without imposing the same burden upon the shipowners as a body?—My opinion is, that it could not be maintained in its present state of efficiency.

4115. Mr. *Norwood.*] I understand your argument, and that of the previous witnesses from Liverpool, to be this; that compulsory pilotage is necessary in the Mersey for the public good, and that there is a certain expensive establishment necessary, to which every vessel should contribute?—Yes.

4116. And you also go further, and say that the owner should be responsible for any accident that occurs to his vessel, even with that pilot on board?—Yes; I think the law ought not to be altered by the mere fact of a pilot stepping on board the ship.

4117. If it is necessary for the good of the trade of Liverpool that there should be compulsory pilotage, and that every vessel should take pilots, and every vessel should contribute to the expenses of the establishment, and you deprive the shipowner of his immunity, would it not be reasonable that the shipowner, or any other person who is damnified by the wrong act of the pilot, should be indemnified out of the common funds of the Pilotage Board?—No; I think there might be a certain amount of responsibility attaching to the pilot. He might be compelled to give a bond for a moderate amount. So long as you have an efficient pilotage authority, and they do their best, I think, in the event of an accident occurring, it should be treated as an unavoidable accident.

4118. And yet my ship going to Liverpool is forced to take a pilot, though I do no want him; and if that pilot makes a gross blunder, and gets me into trouble, which costs me 1,000*l.*, I am to have no remedy against the pilot or anybody else?—So long as an efficient pilotage authority does its best, I am afraid you must accept that as one of the contingencies of shipowning.

4119. You do not like immunity; you like liabilities?—I am very fond of immunities; I should like the immunity if I could have it with the efficient system of pilotage which I consider necessary.

4120. Mr. *Cave.*] You think the immunity at one time may be a liability at another time?—Yes, I escape to-day and am caught to-morrow.

4121. Mr. *Hardy.*] What proportion of the ships which are exempt from pilotage take pilots in bad weather?—I have no statistics by which I can tell you that.

4122. Has any record been kept?—Not that I am aware of.

4123. Have you any sort of idea as to the extent?—No; I think they very seldom take them.

4124. They are a very small class of vessels, are they not?—Yes; the men go out almost daily, regularly, and they get an amount of knowledge which enables them to do without a pilot.

4125. *Chairman.*] I gather from your evidence that you have had no experience of any port where pilotage is voluntary?—I have no experience of any port where pilotage is voluntary.

4126. And therefore you do not know whether in those places the pilotage authorities succeed in maintaining control over their men, and keeping them at their stations?—I am not aware of my own knowledge.

4127. Have you heard the evidence which has been given here?—Yes, to-day and the last day on which the Committee sat.

4128. You have not heard the evidence as to the possibility of maintaining a strict control over the pilots, even though their employment is not compulsory?—I have not heard that evidence, but I believe it quite possible unless it is an exceptionally dangerous navigation, as we think ours to be. The pilots have to remain out at sea in all weathers with a lee shore constantly, because the prevailing winds are blowing right in upon Liverpool Bay, which causes these banks to shift, and it is because our navigation is so difficult that we think it would be nearly impossible to keep the men at their posts under any other system than the present one.

4129. Does not the difficulty of the coast make it more certain that vessels would employ pilots?—The more difficult the navigation, the greater necessity there is for pilots.

4130. And the greater their employment?—Yes.

4131. And the greater is the inducement for the men to go in search of employment?—Yes, if they were certain of finding it.

4132. They are certain of finding it if the navigation is very dangerous, are they not?—Not in fine clear weather.

4133. But they are in bad weather?—In bad weather they would all take pilots if they could get them.

4134. And there would be always an inducement for a pilot to go out in search of a vessel because he would be certain of employment?—Yes, he would be pretty sure of finding employment in bad weather.

4135. Therefore, the greater the difficulties of the navigation the greater the certainty of employment for pilots?—That seems to follow.

4136. Have you any doubt in your own mind as to the employment of pilots in Liverpool after the Bill passes?—If the Bill passes I believe in fine weather, in the summer season, for instance, a great many vessels would not take pilots.

4137. Have you formed any opinion as to the proportion of vessels that would not take pilots?—It is mere guess work; but in these days of close competition, the saving of a few pounds is of great importance to the shipowner, and vessels of a certain class would run in without pilots.

4138. But do not you think a great number would still take pilots in fine weather?—Yes; I think all the best class of shipowners would do so.

4139. In fact, all but the small ones?—There are plenty of indifferent shipowners who own very large vessels.

4140. In bad weather everybody would want pilots; but you think that it is only in fine weather there would be any falling off?—I think so.

4141. Do you concur in all that has been said as to the difficulties and danger to the navigation in consequence of the immunity of owners?—Yes.

4142. Have you had frequent cases of that kind?—Yes; that state of the law leads to a vast amount of litigation.

4143. Therefore you think a great number of accidents occur from this rule?—Yes; I think the present state of the law has a tendency to increase the number of accidents.

4144. Should

4144. Should you say that the very considerable number of accidents occurring in the Mersey arise from that state of the law?—A considerable number, because the captain and the pilot do not act together; the captain is superseded and afraid to interfere.

4145. Do you keep any record of the number of accidents that occur when vessels are in the charge of pilots?—Yes; the pilotage committee have a record; I have not it with me.

4146. Could we see that record?—Yes.

4147. Do you say that a large proportion arise from the very state of the law which relieves you now from immunity? — A considerable number. That is my opinion.

4148. And that gives rise to a large amount of litigation?—Yes.

4149. We have been told that half the cases of the Admiralty Court come from Liverpool; do you think that is the case?—That I am not aware of.

4150. Would you be surprised to hear it?—No.

4151. You are of opinion that the present state of pilotage in Liverpool does not result in anything satisfactory as far as collisions are concerned, does it?—Regard ought to be had to the prodigious amount of traffic over these waters.

4152. Do you think that a large number of accidents would be prevented by a change in the law?—Yes.

4153. Do you consider that they occur in consequence of the vague relationship between the pilot and the captain?—From the captain being superseded by the pilot in commanding his vessel.

4154. In many of these cases would it not be better for the owners that there should be no pilots at all?—No, you may run upon a sand bank in that case.

4155. But you would not come into collision?—No.

4156. The captain is compelled to take a pilot, and the pilot brings him into difficulty?—In some cases.

4157. In those cases would not the owners be better without pilots at all?—I would not like to say that, because the buoys are constantly shifting. In Admiral Evans' reports I find, in one year, no less than 99 buoys were shifted; some were driven from their anchors in hurricanes, and others sank.

4158. I now talk of collisions, not accidents from running upon sand banks. We are told that there are numerous collisions occurring from the captain having given up his command?—Yes.

4159. And in those cases the owner would be better off without a pilot, would not he?—So far as the collision was concerned, it possibly might be so.

4160. And all those accidents might be prevented?—Not all.

4161. A great number of them might be prevented?—Some might.

Friday, 6th May 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. Pemberton.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. Robert Poulton John Simpson, r.n., called in; and Examined.

Mr. *R. P. J. Simpson*, R.N. 6 May 1870.

4162. Mr. *Graves.*] I believe you hold the office of Superintendent of Pilots at Liverpool?—I am Superintendent of Pilotage at the port of Liverpool, and am an Examiner of Pilots and Masters and Mates for pilotage certificates.

4163. What was your previous occupation?—I served 19 years in Her Majesty's service as a master of the Royal Navy.

4164. You are professionally familiar with the whole question of the system of pilotage round the coast?—Yes, I am.

4165. Do you hold a Trinity House pilotage certificate as well?—Yes, I do, from the Downs to the Lands End.

4166. Do you consider that the navigation of Liverpool, and the approaches to the port, are more dangerous than any other port in this kingdom?—I think so, without any exception.

4167. Will you shortly state what is the qualification of a pilot in Liverpool?—A Liverpool pilot after serving a long apprenticeship, is examined as to his qualifications as a pilot in seamanship and the use of charts; the variation and deviation of the compass; the pilotage of Liverpool Bay; and the pilotage of the neighbouring ports, from the Skerries to Whitehaven, including the Isle of Man.

4168. Can you give the number of miles of coast that his knowledge ranges over?—I should say about 150 miles.

4169. Besides being pilots for the approaches to the Mersey, they are also sea pilots for all these other anchorages and harbour, are they not?—They are practically the only sea pilot's for these other harbours.

4170. When are your licenses granted?—They are granted between the 25th of March and the 25th of September only.

4171. Why are they confined to those limits?—The object is to give the apprentices or the younger pilots the benefit of the whole summer for gaining experience. It is not thought advisable to grant them licenses during the winter months.

4172. I believe that the gross earnings of the pilots are divided between the boats and the pilots in prescribed shares?—They are.

4173. Will you give the Committee some information as to the shares and the earnings?—The only way to do that is to take a boat and see how she divides her pilotage on a certain day. Taking No. 1 boat on the 1st of January, I find by the bye-law which prescribes the mode of division, that the earnings will be divided as follows: for the owners of the boat $2\frac{1}{2}$, shares; for four licensed apprentices at $\frac{3}{8}$rd of a share each, $2\frac{3}{8}$rd shares; for all the unlicensed apprentices, $1\frac{1}{2}$ shares; making for the pilot boat, a total of $6\frac{3}{8}$rd shares. Then there are the three masters, the first, the second, and the third master.

4174. Are there three masters to each boat?—There are three masters to each boat, each having one full share the same as a first class pilot, that makes three shares more; 16 pilots of the first class, one share each, that makes 16 shares more; one journeyman pilot of the second class, at $\frac{5}{6}$ths of a share, and one of the third class, at $\frac{2}{3}$rds of a share; these added up make $27\frac{1}{6}$th shares; so that all the pilotage earned on that day, the first day of January, would be divided by the $27\frac{1}{6}$th shares, to get the value of a first class pilot's share. Then the other divisions will follow as a matter of course; $6\frac{3}{8}$rds times that single share will be the proportion due to the boat owners.

4175. How many boats are there?—There are 12 boats.

4176. Are they all owned by pilots?—They are all owned by pilots, reckoning a superannuated pilot still as a pilot, for the purpose of holding shares.

4177. What is the number of superannuated pilots that hold shares?—There are 20 superannuated or retired pilots holding shares in pilot boats. There is a distinction between a superannuated and retired pilot. One or two have no superannuation; they have not asked for it.

4178. How many shares have the 20 superannuated pilots?—They hold 238 shares. Then there are 34 master pilots holding 330 shares, and 40 pilots 200 shares, making 768 shares. I have taken this on the 1st of January.

4179. What do you consider to be the value of a share in a pilot boat?—The Chairman has had some returns furnished him, and upon analysing them I find that the average, over a period of five years prior to the 1st of January last is, as near as possible, 118*l.*

4180. Is that the value at which they appear to

to have been bought and sold?—That is the value at which the shares have been bought and sold. I arrive at that average by taking every sale for the last five years in each boat, adding them together and dividing by the number of sales, that gives me the price; 118 *l.* and a few shillings.

4181. That multiplied by 768 shares, gives you the total value?—It does.

4182. How much does that come to?—It comes as near as possible to 90,700 *l.*

4183. With reference to the earnings of the boatowner, can you give any information upon that point?—Taking the same figures that we have been working upon, I find that the average profits for the last five years will be 12½ per cent.

4184. Is that 12½ per cent. upon the market value of the shares?—Yes; 12½ per cent. upon the market value of the shares.

4185. Is that without any deduction for assurance or depreciation?—Without any deductions; it is the net profit, without deductions for insurance or depreciation.

4186. In fact, the whole earnings have been divided amongst the proprietors?—Yes.

4187. What do you consider would be a fair rate for each proprietor to set by for depreciation and insurance?—From inquiry amongst the shipowners, I am told that the depreciation of wooden ships is about 10 per cent., and the depreciation in iron ships is about 5 per cent.

4188. *Chairman.*] With regard to that 12½ per cent. profit, is that after the payment of the current working expenses of the vessels?—Yes, after paying the working expenses of the vessels.

4189. But not after deduction of depreciation?—Without deduction for depreciation or insurance.

4190. Mr. *Martin.*] Does this 12½ per cent. include the interest on their capital, and wages of their labour?—No, it is net, the wages are deducted.

4191. Mr. *Brassey.*] There is no interest on capital allowed, but the wages are deducted?—Yes.

4192. Mr. *Martin.*] On the purchase of the boat?—On the purchase of the shares; in point of fact, the share represents so much stock, and the boat is merely the representative of that stock.

4193. Mr. *Graves.*] What do you consider to be the per-centage for the depreciation?—As the pilot boats are built in a superior manner, and well kept up, I would estimate the depreciation at 7½ per cent., and the insurance at not less than 5 per cent. per annum.

4194. These deductions would of course be upon the actual value of the boats; what may that be estimated at in round numbers?—At about 28,000 *l.* or 30,000 *l.*

4195. What return will that leave to the shareholders for their investment?—About 8 or 9 per cent.; the figures will show that quite plainly.

4196. Do you generally consider, looking at the hazardous nature of the employment, that that is too large an investment?—I do not think it too large for so hazardous an employment.

4197. I believe that the pilots and apprentices manning these boats are divided into crews, and that they are appointed by the board?—They are.

4198. With regard to the condition of the boats, what guarantee is there that they are kept in a very highly efficient state?—First of all, there is the fact of their being uninsured, which makes the owners keep them in first-rate condition. Then annually, or periodically, as occasion may require, I inspect the boats; and if I were to report against the boats, their license would be suspended. Then they have some supervision of their own; they have surveyors of their own, who are not interested in one boat, and who will go and inspect the condition of that boat; they say when she should have new sails, and so on.

4199. Is it your opinion that the earnings going into a common fund gives to all a common interest in keeping up the highest state of efficiency?—I understand it so.

4200. Supposing a boat is worn out, and unfit for service, do you command that a new boat shall be built?—The dock board would unhesitatingly command that a new boat should be built.

4201. Are the pilots bound to act upon that order?—They are bound to act upon that order; their license would be withdrawn if they did not, and they cannot work in unlicensed boats.

4202. Will you describe how the boats go out to their stations, and the order with reference to taking the stations?—There are six boats on the stations.

4203. Do these maps represent the stations?—The maps represent the stations. As soon as the telegraph clerk at Point Linas reports to me that a pilot boat has discharged all her pilots, and is inward bound, I order another boat out; and the first tide afterwards she goes out of dock, and takes her station at the inner station; she relieves the inner boat, which then takes the next outer station, and so they follow each other out to sea. We require several spare boats for that purpose, because sometimes as many as three boats have to go out in one tide.

4204. The outer boats are within a visible distance of your lighthouse at Point Linas, are they not?—Yes.

4205. And your inner boats are within a visible distance of the light-ship keepers of the north-west lightship, are they not?—Yes.

4206. Will you tell the Committee what steps you take besides the telegraph to insure a constant observation on the movements of these pilot boats?—There used to be a rumour afloat that the pilot boats were off their stations, and I myself personally am quite satisfied that it was not true; but to make it quite clear, with the approval of the pilotage committee, orders were given to the telegraph keeper at Point Linas, and the captain of the north-west lightship, to log several times during the day the actual position of the pilot boats, and to send that information to me as early as possible; and the telegraph keeper at Point Linas sends it to me immediately, so that I get it five times during the day, and any other information which it is necessary to give about the pilot boats.

4207. Have you got with you any of the logs which you speak of?—Yes.

4208. Take, for instance, Point Linas, and show the Committee the mode in which the observations are kept?—I will take two of the briefest. This is from the north-west lightship: "Monday, January 10th, 8.20 a.m." I presume that is the time they first see the boats. "No. 10, north, two miles; No. 12, north-east, two miles."

4209. Are those the numbers of the pilot boats?—Yes.

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

—Yes. "Nine o'clock, No. 10, N.N.E., two miles; No. 12, E.N.E., two miles. 12 o'clock, Nos. 12 and 10, N.N.E., three miles; 3 p.m. the same; 4 p.m., Nos. 10 and 12, N.E., three miles."

4210. Will you now take the one from Point Linas?—I presume you only want extracts referring to the pilot boats.

4211. Take a single day?—"April 30th, 6.30 a.m., No. 7 pilot boat inward; No. 12 pilot boat on duty; No. 10 inward. 9 a.m., No. 10 pilot boat on duty. five miles E.N.E. 9.15, No. 12 pilot boat made signal, 19 hands on board." I may say that they are compelled to signal to me two or three times a day as to the number of hands on board as a guide to us. "At noon, No. 12 pilot boat on duty, and No. 10 pilot boat on duty. 3 p.m., No. 12 pilot boat on duty, two miles N.E. by N." Then again at "six o'clock, No. 12, No. 10, and No. 5 on duty."

4212. So that the whole power of the light-house and surveying staff of the Mersey is dove-tailed in with the pilot service, so as to make the whole complete and efficient; is not that so?—It is.

4213. Are there many complaints with reference to pilot boats not being on their stations?—Complaints of that kind are very rare indeed.

4214. Are there many complaints against individual pilots for neglecting their duty?—There are several in the course of the year.

4215. Can you hand in to the Committee a list of the complaints made in the last year, or the last two years; take, first of all, the complaints made to the pilotage committee?—This is a list of the complaints against pilots during last year, 1869. (*The same was handed in,* vide *Appendix.*)

4216. How many complaints are there altogether?—I think there are 46 complaints.

4217. Are all these reported to the Mersey Board every week?—Every week, when any action is taken upon them.

4218. The pilotage committee, of course, inquire into them?—Yes.

4219. Do they report the whole of them to the Mersey Docks and Harbour Board, or only the most serious ones?—If they find there is nothing in the complaint, or that it is only necessary to give a caution, they do not report it; but if they reprimand, a report goes to the dock board.

4220. I suppose every week's proceedings as to the pilots are brought before the public notice, being public in consequence of the proceedings of the dock board?—It is brought before the public notice.

4221. Do you consider that a good check?—It is as complete as we can make it.

4222. Have you many instances of the weather being so bad when vessels, having passed all the outer stations, the pilots have been unable to be put on board?—Yes.

4223. What is the general practice then?—The pilot boat has to speak the vessel or vessels or to signalise to them, and at the proper time the vessel will follow the pilot boat, and the pilot boat is compelled by law to abandon her station if the vessel is in danger, so that she may be conducted in safety to Liverpool.

4224-5. Can you give any striking instance of this being done?—Yes, there was a striking instance in January 1866. Boat No. 3 fell in with a vessel disabled; she had no yards on her foremast, and it was blowing a furious gale; she had the foretopmast-staysail set and her main-topsail, and the canvass she had on her prevented her stopping. The pilot boat signalised to her to follow, and she preceded her, and they brought her in safety into the river. In consequence of No. 3 leaving her station, No. 8, the boat on the minor station, whose duty it more properly was to receive pilots from outward-bound ships, had to perform the double duty of looking after outward-bound ships and such inward-bound ships as had passed through the western stations. A crowd of vessels came up, and she had to stop them, because it was not the proper time to run for the bar; when she had got them all together she told them what to do; and when all were prepared, she made her signal and preceded them, and they followed her, and she brought the whole 12 of them into port in safety.

4226. What was the estimated value of property brought in upon that occasion?—Half a million.

4227. What was the amount which the pilots received?—£. 68.

4228. Was each vessel compelled to pay?—Yes.

4229. Under this Bill, where it would be optional for an owner to pay, would all those vessels be liable to pilotage in your opinion; do you consider that they would be compelled to pay?—I am afraid that, unless there is special provision made, I think the whole of them, except one, might say they were not piloted.

4230. If they so wished you think they could do so?—Yes.

4231. *Chairman.*] Would not it be a question of fact, whether they were piloted or not; supposing the pilot boat preceded, and brought in a string of other vessels, would not it be a question whether the pilot vessel was not acting as a pilot?—It would be a question depending entirely on the honour of the captain in each case. In this respect there would be no difference between foul weather and fine weather. Vessels might follow each other into port and say they were not piloted.

4232. Mr. *Brassey.*] The pilotage dues for the whole fleet, I understand, was 68 *l.*?—Yes. There is one other point in connection with that case which I should like to mention. A tug-boat fell in with one of these vessels and offered to tow her up for 500 *l.*; but the captain said he could see the pilot boat, and in consequence of that, he declined the tug's services; then 100 *l.* was demanded, and, finally the captain, finding he could follow the pilot boat, declined the services of the tug, and was brought up in safety.

4233. Mr. *Charles Turner.*] If there had been no pilot boat in view, might she not have had to give 500 *l.* or 100 *l.*?—Clearly so.

4234. That would be for one ship?—For one ship.

4235. Mr. *Gourley.*] Could the ship have come in without a pilot or a tug?—No; she would not have ventured to do so.

4236. Mr. *Grieve.*] Could she have gone back?—No she was on a lee shore.

4237. Mr. *Charles Turner.*] Then she would have gone ashore, would not she?—Yes.

4238. Mr. *Graves.*] Do you consider that the best system of pilotage, on the whole, for Liverpool is the compulsory system as at present?—I do, unquestionably.

4239. Do you consider that it is conducted at the least expense that it is possible to conduct it at, looking at the efficiency of the service?—I think so.

4240. Do

4240. Do you consider that it is important for vessels navigating the approaches to the Mersey that they should have pilots on board?—Yes.

4241. Would you have any exemptions?—I would have no exemptions whatever.

4242. Would you interfere with the vessels which are at present exempt?—The vessels or rather the masters that are at present exempt might be protected in some way; but with regard to the future, I think no one should be exempt from taking a pilot or contributing to the pilotage service.

4243. Would you make any distinction between the rate of contribution, or would you lay down a uniform rule for all?—I think that is a matter which I am not prepared to go into. If I knew the system that was to be adopted I could give an opinion.

4244. Then, in point of fact, do you consider that the system at Liverpool on the whole is perfect, and well adapted for the navigation of the Mersey, that you would like to bring up all the pilotage systems in the kingdom in similar waters to the same standard as your own?—Yes, I would like to do so.

4245. Would you rather do that than bring yours down to the standard of theirs?—Certainly.

4246. Is there any selection at all with regard to pilots for outward-bound ships; what is the general custom with regard to that?—The custom is, if a pilot gives satisfaction, inward-bound, for him to take the same vessel out; the law compels the ship to take the first pilot that offers, outward-bound as well as inward-bound; but this is an arrangement which is made for the convenience of the ship, unless there is any special objection to the man, and then we gladly, if possible, give them another pilot.

4247. Have you not made special arrangements with the owners of large steamship lines to allow them to have their own pilots?—We have.

4248. Is that in the case of vessels calling at Queenstown or Londonderry?—Whenever a service is so regular as to admit of a pilot being employed without disturbing the service, the committee gladly allow it to be done.

4249. Do you allow that privilege to vessels calling at Lisbon or Bordeaux?—There would be no difficulty whatever if the pilot could be paid.

4250. Do you, as a matter of fact, grant that privilege to vessels going to Lisbon or Bordeaux?—We do to vessels going to Bordeaux.

4251. Supposing the owner of a large number of steamvessels desired to choose his own pilot for bringing his vessels in and out of the Mersey, would it be possible to make a similar arrangement with him for allowing the pilot to land at the extreme limits of the pilotage waters?—I do not know that there would be any difficulty about it with vessels outward bound, but it would be very difficult with vessels inward bound.

4252. Have you had any applications of that character?—No.

4253. Have you granted all the applications which you have received for special pilots?—Invariably.

4254. It has been stated that licenses have not been granted to captains and masters of coasting steamers as freely as they might be done; is that so?—It is not the fact. Since 1859, when the dock board consented to undertake the examinations of masters and mates, every man that has come up has received fair play.

4255. Will you tell the Committee how many have applied?—Thirty-six altogether.

4256. And how many have passed?—Twenty-two have passed.

4257. What became of the remainder?—Six were transferred without re-examination; three, although they applied, did not come up at all; four did not appear again after one failure; and one failed three times and then did not come up; that makes in the whole 36. I may say there is no limit to the number of times that they can come up for examination.

4258. What steps do the dock board take to give publicity to their willingness to grant these licenses?—Directly the dock board consented to examine them they advertised in the local newspapers.

4259. Have you taken any pains to ascertain the comparative rates of pilotage in Liverpool as compared with other ports?—I have taken a vessel of 20 feet, and a thousand tons, and I have compared the Liverpool rates with those at London, Cardiff, and New York.

4260. Will you state what the rate is in and out of Liverpool?—In and out, altogether, it is 13 *l.*

4261. Now take London?—Taking from the Downs to the Nore, which is the shortest distance for which rates are provided, and the lowest rate for sea pilotage, I find that in and out, it will give 23 *l.* 12 *s.*; but if towed, there will be 5 *l.* 18 *s.* to come off, leaving the lowest rate of pilotage for that ship of 20 feet, 17 *l.* 4 *s.* But besides this, there is the charge for putting a pilot on board from the cutters or from the shore, namely, 3 *l.* 3 *s.*; and if that sum be charged each way, the net pilotage, after full deductions for towage, is 23 *l.* 7 *s.*

4262. *Chairman.*] Is that not from the Downs to Gravesend, and not from the Downs to the Nore?—It is to the Nore only. To Gravesend it would be, I should think, 7 *l.* more.

4263. Mr. *Graves.*] What is it from Cardiff to Lundy?—Between Lundy Island and the Penarth Roads, in and out, it is 14 *l.*; at New York it is 40 *l.*; but you must add one-fourth if piloted out of sight of Sandy Hook, and four dollars extra between the 1st of November and the 1st of April, as a winter rate. In each case that would make eight dollars more.

4264. Considering the efficiency of the service, do you think it is conducted at a less cost to the shipping of the port than any other similar service that you know of?—Yes, that is my view; I have heard it stated so by shipmasters.

4265. Can you tell the average number of vessels piloted in and out by each pilot in a year?—The average number actually piloted in a year is about 48 or 50 for each licensed man.

4266. *Chairman.*] Is that each way?—No; that is the whole work in and out.

4267. You mean 48 times in and out?—Forty-eight times in and out combined; 48 voyages.

4268. Twenty-four in and 24 out?—Yes; or it may be 25 in and 25 out.

4269. Mr. *Stevenson.*] That comes to about one pilotage job a week?—Yes; but there is other work in connection with the pilotage service.

4270. Mr. *Graves.*] You have got an annuity fund connected with the pilotage service, have you not?—Yes.

4271. How is it supported?—The annuity fund

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

fund is supported by the contributions of the pilots, and is considered a mutual insurance fund.

4272. Is it regulated by Act of Parliament?—Yes.

4273. How is it expended?—Solely in superannuations and sick allowances, and in casual relief to pilots and pilots' widows and their children.

4274. What is the amount of the fund at present?—£ 10,000 is funded in dock bonds, and on the 1st of January there was about 700 *l.* in hand.

4275. What is the amount of current expenses which are deducted from the annuity fund?—The annuities are the only current expenses; the dock board manages this fund free of all charge for working expenses.

4276. What were the actual receipts in 1869 from the various sources contributing towards the annuity fund?—£2,306 8 *s.*, as follows: 2½ per cent. contribution of pilots, 1573 *l.* 6 *s.* 2 *d.*; balance of license fund, 191 *l.* 6 *s.* 8 *d.*; balance of fines and penalties fund, 104 *l.* 15 *s.* 7 *d.*; interest on monies invested in dock bonds, 436 *l.* 19 *s.* 7 *d.*, making a total of 2,306 *l.* 8 *s.*

4277. What was the number of annuitants on the list on the 1st of January 1870?—Thirty-nine sick or superannuated pilots, receiving at the rate of 1,065 *l.*; pilots widows, 47 annuities, 750 *l.*; orphans, 46 annuities, 259 *l.*; total, 2,074 *l.*

4278. Is the annuity fund an increasing one, or a decreasing one?—It is rather decreasing. I am speaking of the current receipts.

4279. As regards the future, do you think you will lose any large sum next year?—Yes; the contribution to the annuity fund on the compensation for differential pilotage, amounting to about 235 *l.* a year, which will about absorb all our present surplus.

4280. Do you consider that the annuity fund will be only sufficient for the existing annuities in a short time?—It will be barely sufficient for it.

4281. What do you consider would be the consequences to the pilotage service if the present system of compulsory pilotage were abolished?—I think the consequences would be very serious indeed. It would disorganise the service altogether, because there would be a considerable falling off in the gross earnings. Then, I suppose, as a matter of course, there will be a reduction in the number of pilots, which I do not think is desirable. The system of boat owning I think will be disorganised. And as the annuity fund, from the falling off of the receipts, will be considerably impoverished, we shall not be able to pay our existing annuities.

4282. It has been stated here that there is some hardship in requiring that coasters should be six months in the coasting trade to constitute them as coasters, is that so?—That has been constantly a source of irritation; the reading of the Act of Parliament may or may not bear that interpretation; but the practice of the board is, that if a ship can make up six months during her career in the coasting trade to allow it to count. The dock board in 1864 wished to do away with this question about coasters, and was willing to accept as a coaster every vessel the Custom House determined was a coaster.

4283. What steps did they take to carry out that design?—They brought it into the Bill of 1864, which contemplated other changes in pilotage, and they were thrown out at the instance of the steam trade.

4284. It has also been stated by persons from Runcorn, that the compulsory pilotage acts prejudicially to the shipping visiting that port; have you calculations to show the number of vessels entering that port with and without pilots; first take the inward vessels entering the Port of Runcorn?—These figures I have received from the chief accountant of the dock board. Between the 7th April 1869, and the 18th of March 1870, nearly 12 months, which was all we could get at the time, the number of coasters inwards was 3,652.

4285. How many of them came under the compulsory obligation to take a pilot?—One hundred and forty-two.

4286. Now, take clearances outward from Runcorn?—Outward from Runcorn in the same period the number of coasters was 3,399.

4287. How many of them came under the compulsory obligation?—One hundred and seventy four.

4288. What is the total number in and out?—The total number in and out is 6,961, of which 316 only were liable to pilotage.

4289. So that it cannot be considered any great hardship when so many thousands go free and so few hundreds came under the obligation?—It is a very small matter to complain of.

4290. Mr. *Martin.*] You seem to say that this Bill would very much injure the funds of the pilots; I suppose you are aware that the intention is that the people who are deprived of employment under this Bill shall be compensated?—I speak of the effect upon our funds and the earnings; of course I am not speaking of compensation at all; these will be subjects for compensation afterwards.

4291. But they would be compensated under the Bill, would they not?—I am not aware to what extent the compensation is contemplated; I understand the question of superannuation, as shadowed forth in the Bill, will not touch our case.

4292. Will it not be easy to modify the Bill so as to secure that?—I should think so.

4293. Mr. *Stevenson.*] From those figures regarding the trade of Runcorn, it would appear that not more than 4 per cent. of the vessels are liable to compulsory pilotage; is that so?—I believe that is so.

4294. Although they are not liable to compulsory pilotage, may they not take pilots voluntarily?—They may all do so. A pilot dare not refuse his services to any ship.

4295. Can you tell us, in point of fact, how many of those who are not compelled to take them, nevertheless do take them voluntarily?—I cannot say.

4296. Those vessels which you have mentioned are Runcorn vessels trading to Runcorn only, are they not?—They are coasters from all parts trading to Runcorn.

4297. They are probably of a smaller class than those vessels trading to other ports?—Yes; the ordinary sailing coasters would average about 200 tons and downwards.

4298. What is the largest size of vessel that goes up to Runcorn?—I think I have known a foreign ship of 600 or 700 tons going up there.

4299. The pilotage which you speak of now, regarding the Runcorn vessels, is the sea pilotage?—Yes, it is the sea pilotage, and has nothing to do with the river.

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

4300. So that, in point of fact, with regard to those vessels, the exemptions amount to about 96 per cent. ?—About that; vessels under 100 tons or in ballast are exempt.

4301. You have described the arrangement by which masters of vessels are allowed to select their outward pilots, instead of taking the one whose turn it is; how many masters of ships do avail themselves of that power of selection?—Very few indeed. As a rule, the masters are satisfied with their pilots, and are only too glad to get the same man out again, giving as a reason that the man must be somewhat accustomed to their ship.

4302. You and other witnesses have described the arrangement which you make with the owners of the large steamers for giving them a constant pilot?—Yes.

4303. How many of your whole pilot staff are detached from their ordinary service to do that special service?—I may explain that we do not consider them detached at all. We call them permanent pilots, but their earnings come into the gross amount the same as those of any other pilot. There are 14 of those pilots.

4304. Then are those 14 men never in the pilot boats?—Those 14 men are never in the pilot boats so long as they are attached to that particular company.

4305. Does not that operate as an injustice to those who go through the hard work of the pilot boat service?—Those that have to do the work no doubt will feel it. It is a matter of competition among the men to get such a position. They feel that it is a more comfortable berth, I dare say; but on the other hand, there is a regular and steady responsibility in piloting those large vessels. We consider it as a sort of reward to good men.

4306. Are the earnings of these constant men who are employed in the large steamers greater or less than the average of the other men?—Of course they are greater than the average; they bring in the larger class of vessels, but they get a *quid pro quo* in the shape of increased comfort and regularity. They have only about one day or so at sea a week, and all the rest of the men have to go through considerable hardships.

4307. We have been told that in order to keep up the local knowledge of the pilots it is necessary that they should be constantly in the pilot boats; in the case of those men who are never in the pilot boats, how is their local knowledge maintained?—They have gone through the process; they are first-class men, and they pilot a ship out one week and another in the next week. That is considered in their case, I presume, a sufficient amount of practice to retain their efficiency. At any rate, that is the opinion of the shipowners who employ them.

4308. We have been told by other witnessess that it is essential, in order to maintain the pilot's efficiency, that he should be constantly on the pilotage ground, and that those who pass through the pilotage waters on board steamers, however frequently they do so, cannot obtain the necessary amount of local knowledge; what is your opinion upon that point?—I can hardly think that it would be said that men going through, however frequently, could not obtain the necessary amount of knowledge. There are many men in Liverpool that have a certain degree of necessary knowledge, and it is proved by their coming in and out. But it cannot be expected that any master of a steamer steering a mid-channel course, can be so well acquainted with the dangers of a port as its local pilots.

4309. Notwithstanding the shifting of the buoys and sandbanks that has been described to us?—They are daily cognisant of the change, or they ought to be. They are not cognisant of it, of course, to the same degree that the pilot is. It is not possible to give the captain of a coasting steamer the same information, or keep him so well posted up, as you would a pilot.

4310. My point is, that those selected pilots are now in no better position than the captains of coasting steamers would be, with regard to maintaining their local knowledge?—They are in this respect: that pilotage being a profession with them, they take care to acquaint themselves with all this information, and whenever they are at leisure they go out to judge for themselves. I have known them to go out, when the "Alert" has been surveying, to pick up a little information about the banks. It being their duty, they lay themselves out for the purpose of getting the information. They are constantly in communication with my office, and consequently hear of the slightest variation, and they have to see the master of their boat every time they come in.

4311. Are the privileges of those selected pilots a matter of complaint with the main body of pilots?—I dare say those that cannot get it do not like it. They would all like to have it, and as I told you just now, there is a competition for it; but pilots, of course, are glad in these days to get any solid permanent situation, because they fear their business is becoming precarious.

4312. Is the system of selected pilots to large vessels extending?—I believe that every shipowner who can avail himself of that privilege, is doing so.

4313. If it extends very much, will not there be a difficulty in keeping the pilot boats manned in the ordinary way?—The dock board at present have perfect control over the number of pilots. The number of apprentices which the boats are allowed to have, is ample; but if it was not enough the dock board could at any time flood the service with pilots, if they could get competent men. The dock board has perfect control over them, and it can raise or decrease the number of pilots.

4314. But if the best of the earnings have to go to those who have the privilege of piloting the large steamers, how are they to remunerate those who go to sea for ordinary vessels?—They have guarded against that; they get no more than the average earnings of the pilots.

4315. Do their additional earnings go to keep up the average of all the others?—That is the case of every ship. If a pilot boards at Point Linas, and brings in a ship drawing 26 feet of water, that goes to make up the average. Many of our first-class pilots have to bring in vessels drawing 12, 13, 14, or 16 feet. I dare say the average draught of water is not so much as 16 feet.

4316. Does each boat divide its own earnings?—Yes.

4317. So that the average of one boat may be different from the average of another boat?—They constantly vary; but taking it over a few years, the earnings of a pilot in one boat will average with the earnings in another boat.

4318. *Chairman.*] Does that include the outward

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

ward pilotage?—Yes, it includes the outward pilotage. Everything in the shape of pilotage goes into the common fund.

4319. Mr. *Stevenson.*] Does each boat's crew form a sort of partnership?—They do not call it a partnership, because it varies so. A man may get his share to-day, and he may not get his share to-morrow; he may be absent on leave, or through sickness.

4320. But so long as he is doing any pilotage service he gets the average of his boat for that period?—Yes.

4321. To which boats do you attach the selected pilots that go in large vessels?—We have been most careful to insure fair play in that respect. The pilotage committee allowed only one pilot in any one boat to be so employed till we got to 12. A pilot might be selected from any boat by a shipowner; but after being so selected, it was my duty to see that he was transferred (as regards his share of earnings) to another boat if necessary. Now we have 13. I said 14 just now. One boat has two of these steam pilots. The fourteenth pilot is on detached service in command of a coasting steamer.

4322. The only advantage to the selected pilots is that they earn the same amount of money in an easier way?— That is a very considerable advantage.

4323. But there is no pecuniary advantage, is there?—I rather think there is a small pecuniary advantage. I think the owners allow them something for their board when they are staying at Londonderry and Cork, and I fancy that that gives them some pecuniary advantage.

4324. Mr. *Brassey.*] Did I understand you to say that every master of a vessel which could claim exemption under the present regulations availed himself of that exemption as a general rule?—No; any ship has the power to claim exemption; or rather, every master or mate of a ship has the power to claim exemption, no matter what the size or the trade of the ship may be, if he submits himself to examination.

4325. I think you said that about 96 per cent. of the vessels trading with Runcorn have come in and out without pilots?—I said that they were not liable to pilotage; they need not take a pilot.

4326. You do not know what proportion of those who can claim exemption avail themselves of it?—No, I do not; but practically the coasters that are exempt never take a pilot, unless it is very thick or dangerous weather. We had a case in point the other day, of a small vessel of 25 tons, drawing six feet of water, requiring a pilot.

4327. As a general rule do these coasters who come in without a pilot manage the navigation in safety?—It is a common occurrence for them to be going on the banks. The greater amount of losses are with coasters.

4328. I think you gave it as your opinion that no vessel should be exempt; but how with reference to vessels in the short-voyage trade, that go in once, or twice, or thrice a week; in such a case the master ought to be acquainted with the navigation, ought he not?—He ought to pass an examination, and get a certificate; it would protect him at the same time. But it is not possible for any captain of a steamer to have a thorough knowledge of pilotage; he goes from light to light, and mark to mark, and steers a mid-channel course; but in hazy weather he cannot see his marks, and it requires local knowledge to tack from one side to the other of the Channel, and navigate his ship properly.

4329. I presume the examination which you would propose for masters of such vessels would be a modified examination; you would not require them to pass through the same elaborate examination that you require of a professional pilot?—No, simply in pilotage; they must know the pilotage of the port.

4330. I think you said that 46 complaints had been received in the course of last year?—Yes; that is the number of complaints of every kind.

4331. And these complaints affected only individuals; were there several complaints relating to the same men?—It is possible. I see here that there are two following relating to one person; of course there may be several against one man.

4332. How many of these complaints were held, on full inquiry, to be well grounded?—I have analysed the decisions, and, so far as I can find, the number of pilots punished by fine or loss of earnings was 30, and the number reprimanded or cautioned was nine.

4333. So that if a man cannot maintain his character for steadiness and efficiency, you do not hesitate to remove him from the service?—Not in the slightest degree. I see that there were six suspended, one reduced, and one dismissed the service; making a total of 46.

4334. Have the pilots of Liverpool, as a body, considered the provisions of the Bill with reference to compensation?—I have no doubt they have.

4335. Have you heard them express any opinion as to the adequacy of the proposed compensation?—They are under the impression that the promoters of the Bill are not acquainted with the amount of loss the pilots will suffer.

4336. Then, with reference to the value of the boats, I think you said you would set aside the sum of 7½ per cent. to meet depreciation?—If the boats were mine I should do so.

4337. You mean if you wish to keep them in a state of efficiency?—Yes.

4338. With reference to replacing the worn-out boats, that is done on the requisition of the Mersey Docks and Harbour Board, I believe?—If necessary, the dock board would take the initiative, but when the boat's character is going, there are plenty of complaints; the pilots themselves speak out when a boat is not seaworthy; a man that had no interest in the boat would say there ought to be a new boat. But I am glad to say, in my experience, the initiative has come from the boat owners generally; in fact, I think in every case.

4339. When a new boat is built, is she paid for out of a general fund, or by the crew who sail in her?—Neither; the boat owners, whoever they may be, have to put their hands in their pockets and build a new boat.

4340. Mr. *Norwood.*] Do not you think it is a bad system that the boats should be in the hands of private owners?—I have looked well into this question of ownership, and I have really no fault to find with the way the boat owners manage their property, and the way they conduct the service; but, if you ask my opinion, I candidly think that either the boats should belong to the whole of the pilots, or to none of the pilots.

4341. Is it not the case that when a boat is accepted, and enters into the service, that the value of

of that boat is enormously increased?—No, it makes no difference to the boat.

4342. Does it make any difference to the owners of the boat?—No, because the share is a permanent thing; a share is so much stock; the boat is merely the exponent or the representative of the share.

4343. Supposing a new boat costs 500 *l.*, the moment that boat becomes incorporated in your system as a pilot boat, the value of it is more than 500 *l.*, is it not?—The share must come under consideration before the boat; the share is so much marketable value before the new boat is built. The man that holds a share in the old boat must help to build another when she is worn out; he must put his hand in his pocket and build a new boat to the full extent of the liability of his share. There are 64 shares in each boat. Supposing a man who has paid 118 *l.* for his share has to build a new boat, he will have to pay from 35 *l.* to 40 *l.* for his share of the cost of the new boat; that is so much loss to him by getting a a new boat.

4344. Supposing two boats are built at the same moment, of the same value, and one boat is in the pilotage service, and has to seek her living, would not a new boat in such service be worth twice as much as the boat out of it?—I do not see any analogy whatever between the two cases.

4345. Then your system is different at Liverpool to what it is in the Humber, because I am informed that when the pilot boats in the Humber are private property, their value is increased three or fourfold; it is an immense boon for a boat to become a pilot boat?—In Liverpool we have it in shares, rather than in a boat. In 1824, when the boat ownery was first brought under this system, certain persons held certain shares in the existing boats, and those certain shares had a marketable value which has not materially changed. Whoever bought those shares would have to renew the boats a good many times over in the course of a century.

4346. Mr. *Brassey.*] That market value represented something more than the money spent in purchasing the boat, did it not?—It represented the value both of the goodwill and the privilege of the pilot service, besides the money spent in purchasing the boats prior to 1824.

4347. Mr. *Norwood.*] Then the ownership of these boats bears a very good premium?—Yes; but it is a matter of arrangement among the pilots themselves and the governing body.

4348. Supposing by any process the Mersey Board, who are the Pilotage Commissioners of Liverpool, were gradually to introduce their own boats, and to treat the question as a mere ownership question, to debit your fund with the cost of the boats, to repair the boats, and to work them at first cost, would not there be a very great saving?—Of course the pilot boats are getting more profit than would be required by a public board.

4349. Supposing you gradually placed your own boats in the position of the pilot boats, could not you keep up your boats cheaper than the private individuals could?—You could not do it without gross injustice to the men holding the shares in the existing pilot boats.

4349.* Supposing their fair interests were considered, and they were indemnified, would not it be a far better system for you to have your boats than the present system?—Yes, far better.

4350. If your system of pilotage in the Mersey is to be continued, do not you think that it would be very desirable for the dock board to take the matter into their immediate consideration?—I think that it would be very desirable to take the matter under immediate consideration; but whether it should be by the dock board or the Board of Trade, or both, it is not for me to say.

4351. Is it not right and just that your pilotage expenses upon the shipowners should be rendered as light as possible by economical management?—Of course it should, but then this matter of boat ownery is a deduction from the pilotage earned.

4352. You might charge less for pilotage?—I do not think you could get the work done at Liverpool for less pilotage than is now paid.

4353. Do not you think yourself that that system is an extravagant one as far as the shipowner is concerned?—I do not think the shipowner has anything to do with it.

4354. Would not you save a considerable sum of money if the boats were the property of a board instead of the property of individuals?—No, I do not think we should save money; I think, if the dock board worked the boats, they would do it on a different scale.

4355. About licensing masters and mates; how is it that other ports license very freely and Liverpool does not?—I cannot give you any reason why masters and mates should not come up for examination if so disposed. I can only answer you in this way, that when a man comes before me, as an examiner, I put myself in his place, and do him justice. I try to do as I would be done by.

4356. Then the masters out of Liverpool are rather an ignorant set of men, are they?—Not at all; but they have a respect for the dangers of Liverpool, I suppose. And again, that question of liability comes in; they do not like the responsibility involved. I believe, if you were to leave it to shipmasters, all over the kingdom there would not be one man that would come forward for examination for a pilotage certificate. It is a shipowner's question; not a shipmaster's.

4357. The shipmasters do not care taking upon themselves the serious responsibility?—I believe they do not.

4358. Unless a pilot is on board the ship, her owners, of course, are responsible, even under the present system?—Yes, if a pilot is not on board, her master or owner is responsible.

4359. And that deters them from taking licenses?—It may be that. I know that every master and mate has the privilege, and, as a rule, they do not care for it; they do not consider it a privilege.

4360. I think I understood you to say that you consider exemptions wrong altogether?—I do, altogether.

4361. And that you would make every vessel pay?—I would make every vessel pay for the maintenance of the pilot service, because every vessel has the privilege of employing a pilot when she pleases, and may require one when it will be exceedingly inconvenient to supply a pilot.

4362. Would you be able to reduce the charges in that case?—That would depend upon the kind of charge that is made.

4363. I say, would you be able to reduce your present charge?—I have not gone into that question at all; the coasting steamers now do pay a small sum, but it is very small.

4364. Supposing they had to pay the full sum, what then?—The full sum would be six times as much as those pay who do not take pilots.

Mr. *R. P. J. Simpson*, R.N.
6 May 1870.

4365. That would not reduce your standing charges?—Of course, if we had more money and the same number of men, it would be quite competent to the dock board to consider any application for the reduction of the rates.

4366. You are really of opinion that Liverpool is an exception to every other port of the kingdom?—It is altogether different to any other port of the kingdom; I do not want to say anything with reference to the pilotage of other ports one way or the other, but Liverpool is exceptionally difficult.

4367. You have given your opinion that this Bill might be applied to every other port in England, except Liverpool?—I am not aware that I have. I think, wherever the local authorities do not want the Bill applied to them, their views should be respected. Different places require different treatment; one is difficult of access like our seaport, and another is more like a harbour or dock, and easy of access.

4368. Sir *Selwin-Ibbetson*.] I believe the same facilities are offered in Liverpool for examining these masters that are offered in other ports, are there not?—Exactly the same; they are conducted on the model of the Trinity House.

4369. You said, in the early part of your evidence, that you considered it impossible that a master should know the navigation, and that they steered from buoy to buoy, and, consequently, in hazy weather they could not see the marks; but there are a good number of vessels that do navigate in and out without pilots?—Yes.

4370. The Beaumaris steamers and the steamers to the Isle of Man do so?—Yes.

4371. And they must go into the Mersey hazy weather as well as fine weather?—Yes; but we have no return of their accidents; we know that they do sometimes get on the banks; a coasting steamer ran on the bar the other day at dead low water.

4372. Do you know, as a fact, that those boats do take pilots?—They are not bound to take pilots, but I know some of them do take pilots.

4373. Probably they have on board a sailor who has local knowledge?—Many of them have men on board with pilotage certificates granted by the Board of Trade.

4374. Mr. *Hardy*.] With regard to the habit of taking pilots at fixed ports away from Liverpool, I suppose it is only large companies in regular voyages that can adopt that system?—It can only apply to the mail steamers.

4375. And it is only done by them with the view of saving time?—Yes.

4376. And with the view of saving the stopping when they come to the stations?—Yes.

4377. It is not done because they have any distrust of the other pilots, but they find it more convenient to do so?—It has nothing whatever to do with the qualification of the pilots.

4378. They do not distrust the pilots?—They do not.

4379. It is merely a question of convenience?—That is all.

4380. Mr. *Charles Turner*.] You have been asked several questions by the honourable Member for Hull, with respect to the ownery of the boats; are the owners of those boats acting pilots or retired pilots?—There are no boatowners but acting or superannuated pilots.

4381. Then, if there is any benefit derived from the ownership of that boat, it goes to remunerate either acting or retired pilots?—It does.

4382. Are there any requirements under the Act of Parliament with respect to the size of the pilot boats?—They must not be less than 40 tons.

4383. In point of fact, what size are they usually?—The average is about 60 tons register. They perhaps run up to 100 tons.

4384. Then, in point of fact, the boats are larger than required by Act of Parliament by one-half?—They are larger than required by the Act of Parliament, but they are not too large for the service.

4385. What is the reason of the boats being so much larger; is it to increase the safety and comfort of the men?—That is not really the practical reason. It is to make them more efficient, and to enable them to keep their stations better.

4386. The increased size is to increase the efficiency of the pilot service?—Nothing else.

4387. And that increase of size involves additional expense to the owners of the pilot boats?—Yes, it does.

4388. And that is paid voluntarily by the owners?—It is paid voluntarily by the owners.

4389. There is nothing to compel the owners of the boats to have the boats any larger than required by the Act of Parliament?—No.

4390. Therefore the whole of the increase is a charge upon the pilotage service, which they voluntarily incur in order to render that service more efficient?—That is so.

4391. Are you aware of any ports where there is any compulsory pilotage, in which that voluntary expenditure of having their boats larger and more efficient than the regulations require has been incurred by the pilots?—I am not aware of any such places.

4392. Is it not your opinion that that is a great evidence of the *esprit de corps* of the pilots, that they should make their boats as efficient and as good as possible for the service required by them?—There is no question of it. I think the pilot boat owners are as proud of their boats as they are of their own families.

4393. The owners of any particular boat feel a great pride in having their boat in a more efficient state than that of their neighbours?—Yes.

4394. I believe there is considerable emulation among them that they shall have the best boat in the service, is there not?—There is all that feeling.

4395. I need not ask you whether there is considerable danger in the men boarding vessels out at sea in bad weather?—Very great danger; and that danger would be incurred rather than leave the station to lead the ship up. If they could possibly put a pilot on board the ship, they would never think of running off the station.

4396. Are any changes that occur in the channel from time to time communicated by one pilot to another, if one sees anything which has not been advertised?—Yes; and they acquaint me and I acquaint my brother officer, the marine surveyor, and we work with one another upon one system of mutual assistance through the whole service of the dock board.

4397. The proceedings of the pilotage committee are read over weekly at the meeting of the Mersey Dock Board, are they not?—Yes.

4398. And that board is held in the presence of reporters?—Yes.

4399. And those reporters communicate the proceedings of the Mersey Dock Board to the public?—Yes, they do.

4400. And

4400. And in that way anything that is worthy of remark in the proceedings of the pilotage committee is communicated to the public?—It is so.

4401. And if any pilot has been censured or found fault with during the week by the pilotage committee, that is noted in their proceedings and is reported to the board?—Yes.

4402. And through the board it is communicated by the reporters to the public?—Whenever there is anything of special interest to require them to do so.

4403. If you had to supersede a pilot, or severely censure a pilot, in consequence of irregularity of conduct, that would be communicated to the Mersey Dock Board, and through them to the public by the means of the reporters?—Yes, it would.

4404. Do you consider that a considerable check upon the conduct of the pilots?—It is the most thorough public check possible.

4405. And therefore every shipmaster and every person in the port of Liverpool who reads the dock proceedings would know the names of any pilots who had been guilty of any conduct which was considered worthy of the censure of the pilotage committee?—Yes, if the reporters considered it of sufficient importance to report it.

4406. With respect to the ownership of the boats, the boats are required to be perfectly efficient?—Yes, they are.

4407. If the owners of an old boat are required to replace the old boat by a new one, that is done at a considerable loss to the owners, is it not?—Yes, it is done at a considerable loss to the owners.

4408. But you never find any obstacle on their part to meet the requirements of the dock board, or of the pilotage committee, with reference to that matter?—There may be a little grumbling at first among the few, but after a short discussion they always carry out the instructions of the board in the matter.

4409. The instructions of the board are always complied with, are they not?—Yes, they are final.

4410. And they have no ground of complaint with reference to the efficiency of the pilot boats in any particular?—None whatever.

4411. And those boats are more efficient, according to the extent of speed and their size, and in different other matters, than the regulations of the Act of Parliament require?—They are, and I do not think they can be beaten by any pilot boats in the world.

4412. Colonel *Bourne.*] The boats are held in shares?—Yes.

4413. Does the value of those shares vary?—They vary, but not so much as might be imagined.

4414. If the pilot boat is in a bad state of repair, or a new one is about to be required, the value of the shares would be materially decreased, would it not?—Yes; it would take, say 38 *l.* a share to buy a new boat; immediately before the boat would be built, the shares would only be worth 80 *l.*, but directly the boat was renewed the shares would be worth 120 *l.*, or more.

4415. Mr. *Grieve.*] I did not quite understand what you said about the masters of steamers trading in the Channel from the Clyde, or from Ireland; are the masters of those steamers obliged to take pilots?—According to an Order in Council, dated 30th January 1854, they are not compelled to take pilots if they are in the coasting trade.

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

4416. Mr. *Gourley.*] You have stated that the approaches to Liverpool are more difficult than the navigation of the approaches to any other port of the United Kingdom?—That is my opinion.

4417. Would you state from your own knowledge, in what way the difficulties of the navigation, and the approach to the Mersey, differ from the difficulties of the approaches through the Goodwin Sands. In bad weather the ships approaching Liverpool have a good sea way; they can keep out at sea, whereas if they are caught in a gale of wind in passing through the Goodwin Sands, they must anchor, and run all the risks of getting upon the Goodwin Sands; in what way is the difficulty and the danger greater as between the bar of the Mersey than in passing through the Goodwin Sands?—You have named the difference; in passing through the Goodwin Sands you can anchor, but there is no anchorage in the Bay of Liverpool.

4418. Have you not better security in approaching the Mersey by keeping out at sea, than you have in passing the Goodwin Sands by anchoring?—No, because you can choose whichever side you like of the South Foreland, and either one or the other must afford you shelter; but if you look at the Bay of Liverpool, there is no anchorage whatever; supposing a ship comes from Point Linas, with a strong wind from west to north-west, and cannot get a pilot, she must stand away to the northward or southward, and she will have a lee shore constantly to be dreaded, and may get right down on the banks, from which there may be no escape, unless the master knows the entrance of the harbour.

4419. You do not hear of a prudent captain running so near a shore in bad weather as to place the ship in jeopardy; he keeps out at sea?—Yes, if he can; but I have known a captain unavoidably blown down near the banks until he was exceedingly anxious; it is often impossible to keep out in a sailing vessel.

4420. In such water, what advantage would a pilot be to him, would not he be as safe without a pilot as with a pilot?—Certainly not; the advantage is not to be calculated.

4421. Cannot you take as good care of your ship in a gale of wind approaching Liverpool, when you are bound to keep out at sea without a pilot, as well as with a pilot?—No; many ships that are kept out at sea now could not possibly be kept out at sea if a pilot were not on board; because it is not a question of seamanship merely, it is a question of local knowledge. A pilot would know how to take advantage of the set of the tide, and how long to stand off on one tack or another, and when it would be safe to run for one port or another; furthermore, at the last extremity, he would know where to run a ship to save the lives of the people.

4422. Would you leave the ship in the hands of the pilot, or in the hands of the captain?—There is a great deal of confusion of ideas on that question, but there is, in point of fact, no analogy between the responsibility of the pilot and the responsibility of the captain; they are as distinct as possible.

4423. Approaching Liverpool in foggy weather when there are no lights or land marks to be seen, in whose hands would you leave the charge of the ship; in the hands of the pilot, or in the

Mr. *R. P. J. Simpson*, R.N.
6 May 1870.

hands of the captain?—The command of the ship must entirely remain in the hands of the captain; the pilot is his local guide.

4424. You say that your grounds are so difficult in point of navigation; if they are so difficult as you describe, how is it that something like 33,000 ships pass in and out of the Mersey without pilots as safely as those with pilots?—We have not always bad weather to begin with, and many of them are very small vessels.

4425. The 33,000 ships pass in and out in bad and good weather, I suppose?—The 33,000 includes boats, fishing smacks, and the smallest class of vessels that you can conceive; the number is taken by our light ships, or by the light-houses. By far the greater number, in my opinion, pass in and out in fine weather only, and we have no record of the number that get on shore or are lost.

4426. I suppose it includes a large number of large ships also?—I do not think it would include any large ships.

4427. Does not it include several passenger steamers?—It does include several passenger steamers in the home trade.

4428. What is the value of stock in connection with your pilot boats?—The value of the pilot boats is 90,700 *l.*, that is taking the prices of the shares for five years.

4429. The value of pilot boats is 90,000 *l.* in Liverpool?—Yes.

4430. What is the cost of a boat when new?—From 2,400 *l.* to 2,600 *l.*

4431. You have 12 boats, I believe?—We have 12 boats.

4432. Then the actual cost of the 12 boats is 30,000 *l.*?—Yes, about that sum.

4433. Then the owners of those boats, by the monopoly which exists in their favour in Liverpool, reap an advantage of something like 60,000 *l.*—It cannot be said that they reap that advantage if they have actually paid the full amount for their property.

4434. But the pilotage fund is 90,000 *l.*?—The boat owners have paid 90,000 *l.* for the shares.

4435. Have they not got during that time 12½ per cent. interest for the money?—They have the 12½ per cent.; but supposing that 30,000 *l.* has to be expended in new boats, they have to pay for it.

4436. Are the boats insured?—I believe they have some small insurance fund of their own; they have a small club to assist them in the case of a total loss.

4437. Really it amounts to this, that the pilot owners reap an advantage of 60,000 *l.* from the public, over and above the actual cost of their ships?—They do not reap any interest from the public; whatever they reap is from the pilots' earnings; it is a deduction from the pilotage paid.

4438. Paid in the first instance by an extra charge for the pilotage made upon the shipowners?—No; there is no extra charge on the shipowner. It is deducted from the pilotage; it is simply a matter of arrangement amongst the pilots themselves.

4439. Who has the controlling power for placing the buoys in the approaches to the Mersey?—The Mersey Docks and Harbour Board.

4440. How often are those buoys changed?—Generally once a year; every buoy is changed, as a matter of prudence. Then, wherever the banks grow out or change, they are shifted according to circumstances; the Queen's Channel bar buoy has been shifted while this inquiry has been going on.

4441. Is there any need for pilotage beyond the bell buoy?—I have always thought so.

4442. Do the outward bound ships take pilots?—They must do so. But up to a very short period, if the ships took pilots beyond the bell buoy they were liable to 20 *l.* fine, and to pay compensation to the pilot and his expenses.

4443. Is there less danger to outward-bound ships than to inward-bound ships?—I think there is more danger to ships outward bound than to ships inward bound.

4444. How does it happen that ships outward bound do not take pilots a further distance?—It was a defect of our law, and the dock board has done everything they can to ameliorate it by allowing the shipmaster and the pilot to make a voluntary arrangement. At present if the ships choose to take their pilots to Port Linas, the fine is suspended, and they make up the difference in the pilotage.

4445. Supposing that this present Bill should pass into law, and instead of the present compulsory system we had a voluntary system, would you have as good a supply of pilots as you have now?—We should not have as good a supply of pilots either in number or quality.

4446. If the danger was such as you have stated, would not it always be found necessary to keep a proper supply of pilots?—Certainly. But the uncertainty of employment would affect the standard and the numbers of the pilots.

4447. *Chairman.*] I believe you told us that the pilotage receipts for last year amounted to 67,500 *l.*?—Yes.

4448. Out of that, 48,000 *l.* was paid to pilots, 1,600 *l.* to apprentices, and a sum of 16,000 *l.* went to the boats?—That is so.

4449. Out of which 5,000 *l.* was the working expense of the boats, leaving to the owners of the boats 11,000 *l.*?—Yes.

4450. The market value of those boats is 90,000 *l.*?—That is the price the present owners paid for them.

4451. The true value is about 28,000 *l.*?—Yes.

4452. Ninety thousand pounds is the market value of the shares?—Yes.

4453. Twenty-eight thousand pounds is the true value of the boats?—Yes.

4454. Then in respect of that 90,000 *l.* they received 11,000 *l.* last year?—They did.

4455. After deducting the proper amount for the value of the boats, the depreciation and the insurance, which I think you said would be about 12½ per cent., it would leave about 8,000 *l.* as their receipts last year, in respect of this fictitious value of the boats?—It would leave eight or nine per cent. upon the investment.

4456. The sum of 8,000 *l.* last year would represent the difference between a fair return for the true value of the boats and the fictitious market value?—No; 8,000 *l.* would perhaps represent the net amount, not the difference; that 8,000 *l.* is the difference between their actual receipts and the allowance for depreciation and insurance.

4457. At all events, you must consider that a very large sum of the annual receipts represents a fictitious value of the boats?—The proportion which the boat owners receive as net profit

is

is about one-eighth part of the whole amount of the pilotage for the year.

4458. The one-eighth part represents the fictitious value of the boats?—It represents the net profit on the purchased value of the boats.

4459. The difference between the purchased value and the real value of the boats?—Yes, if no profit at all is allowed for the real value of the boats.

4460. That sum is either a deduction from the proper earnings of the pilots, or it is a charge upon the shipping of the town?—Yes; and those who are boat owners only have a claim upon it.

4461. Therefore it is a charge either upon the pilot's earnings, or it is a charge upon the shipping of the town?—Yes.

4462. Do you think that arrangement is a good one?—I do not think it is a good one.

4463. Do you think that it should be put an end to, if possible?—Yes; it would be put an end to by either of the plans I have already shadowed forth.

4464. It could not be put an end to without compensation?—No.

4465. You stated that you were not in favour of any exemptions yourself?—I would test every man before I would allow any exemption. It would be very difficult to deal with otherwise.

4466. Under the Liverpool Pilotage Act only coasting vessels under 100 tons are exempt?—No; coasting vessels in ballast are also exempt, no matter what their tonnage.

4467. In point of fact, the Liverpool pilotage authorities have been in the habit of exempting other vessels, as I understand you?—No; the Mersey Docks and Harbour Board has not exempted any others.

4468. Have not they freed all coasting vessels from a compulsory pilotage payment if they pay half the pilotage?—You probably allude to coasting steamers, which are exempted from compulsory pilotage on paying a reduced rate to the pilots; but that was an old regulation before the dock board had anything to do with it.

4469. But they carry it on?—They took things as they found them.

4470. Is it not the fact that, under the Merchant Shipping Act, 1854, home-trade passenger vessels are bound to carry pilots?—They are.

4471. Notwithstanding that the pilotage authorities have never compelled them to do so?—I am afraid the Liverpool pilotage authority was not the most to blame, if at all.

4472. In point of fact, the Liverpool pilotage authority have never required the home-trade passenger vessels to carry pilots?—It was not their duty to do so.

4473. Whose duty was it to interfere?—I should think, as the public guardians, it was the duty of the Board of Trade.

4474. Do they compel the Liverpool vessels to carry pilots?—It is a question of life, it is not a question of pilotage.

4475. Are you aware whether the Mersey Docks and Harbour Board, or any pilotage authorities, have asked the Board of Trade to interfere and compel the vessels to carry pilots?—It was not their place to do so. It certainly was not the duty of the Mersey Docks and Harbour Board to make any such request.

4476. Have they passed any resolutions upon the subject?—They have not.

4477. They have never attempted to carry it out, have they?—The dock board became the pilotage authority more than four years after the Act of 1854, and they had to take the pilotage laws, bye-laws, and customs, just as they found them.

4478. In point of fact, they have never interested themselves in the matter, and they have been content to take something less than the pilotage rate from these vessels, but they have never tried to compel them to carry pilots, is not that so?—The dock board have not. The pilots have been content to take a shilling a foot, and the dock board had not the slightest interest in the matter.

4479. What does the shilling a foot represent?—One-sixth of the pilotage dues. It is a shilling per foot per voyage.

4480. The pilots have been content to take that without enforcing the obligation at law upon the vessels, and no one else at Liverpool has interfered to compel the home-trade passenger vessels to carry pilots, is that so?—I do not think the pilots are content to take it, but they cannot well change the law. In my opinion those who made the law to protect the lives of passengers, should have seen that the law was respected.

4481. They have not felt that public opinion would sustain them in compelling these vessels to employ them, I suppose?—I do not know what the pilots have felt upon that subject.

4482. They have never done so, have they?—No. I would like to point out to the Committee an exceedingly strange anomaly on this very question.

4483. What is that?—These vessels when carrying passengers, but without any cargo, pay nothing to the pilots, because they claim to come in as coasting vessels in ballast; but if they have no passengers whatever, and only a single barrel of beef on board, they are liable to pilotage; then they claim the exemption under the Order in Council of January 1854, and pay 1*s.* a foot for the voyage.

4484. Is it not the fact that the Liverpool pilot has a right, if he thinks fit, to hail all vessels and compel them to employ him?—That is a question of law that I cannot answer in the case of coasting steamers. I should be very glad to have it answered. It was one of the greatest puzzles that I found when I got to Liverpool.

4485. It has always puzzled you since?—Yes, it has been a great puzzle to me, and I am still at a loss to understand why so stringent a law for the preservation of the lives of passengers has been allowed to lie dormant.

4486. I see in the return which has been laid before Parliament, that besides these coasting passenger steamers which are let off for 1 *s.* a foot, there are other coasters who pay one-half pilotage; what is the meaning of that?—It means that a coasting vessel taking a pilot pays 4 *s.* 6 *d.* a foot instead of 9 *s.*, which she would pay if she were a foreign vessel.

4487. It does not mean that coasters are exempt if they pay one half?—No.

4488. Are all coasters above 100 tons compelled to take pilots?—Yes, unless they are in ballast.

4489. Is that rule carried out?—It is carried out so far as I know.

4490. So far as you know, the only vessels exempted by voluntary arrangement, are the home-trade passenger vessels?—No, it does not apply to home trade passenger ships, but coasting steamers; they may be passenger steamers or

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

they may not. The arrangement was made before the law relating to home trade passenger ships came into operation.

4491. What is the total amount received by the Pilotage Board in respect of those vessels?—It is not received by the Pilotage Board; it is received by the pilots themselves; it is 1,400 *l.* or 1,500 *l.* a year. I never heard any complaint about paying that money.

4492. Mr *Gourley.*] Do you charge any less pilotage rate when vessels are in charge of steam tugs?—We do not; we think there is not much to chose between them; a handy sailing vessel, with a leading wind, is as safe as if brought up in tow of a steam tug; there is so much difficulty in turning in the river because of the limited span for anchorage; the number of accidents happening is so large, and the pilotage rates are so low, that we think it is not worth considering. It is of advantage to the shipowner to have a tug, but it is no special advantage to the pilot; he has two vessels to take charge of instead of one.

4493. *Chairman.*] By this return I find the number of pilots has been increasing in the last 10 years, and is now 25 in excess of what it was 10 years ago?—I believe that is the case.

4494. Have their earnings remained the same?—About the same.

4495. Has the number of boats remained the same also?—Yes.

4496. Is it not the case, that for a considerable number of years, the number of boats have been the same?—I think it has been the same for something like 28 years. I could give the date when the last boat was put on if required.

4497. During that time the number of pilots have considerably increased, has it not?—The number of pilots has been increasing with the number of ships and the tonnage of the port; of late years the number of ships has fallen off.

4498. But the tonnage has greatly increased, has not it?—Yes.

4499. I presume you would consider that the tonnage entrances to Liverpool will continue to increase?—I see no reason whatever to doubt it; the port is as prosperous as it ever was.

4500. At the present moment are you rather reducing the number of pilots in consequence of the loss of the 10,000 *l.* a year?—We are reducing the number of men in the first instance, because there is something like 2,000 less vessels paying dock dues than there were five years ago.

4501. You say each man makes about 48 voyages, on an average, in the year?—That is the actual number of ships piloted in and out; there are other services performed by them.

4502. That makes something less than one voyage for each pilot per week?—Yes.

4503. What is the time occupied generally in coming from Point Linas to Liverpool?—It may occupy in the case of steamers six hours; it depends upon the state of the tide; or it might be, in the case of sailing ships, three or four days.

4504. On the average, perhaps, it is a day?—Yes.

4505. Can you say the average time occupied in the outward pilotage?—From the time of a ship leaving the dock till she gets out to the Bell Buoy, it would be about three hours.

4506. Then, in point of fact, all the employment of pilots at present is, on the average, something less than one day a week of actual pilotage, is it not?—Yes; but you are reducing the work to the minimum; a pilot has to attend upon a ship to-day, and she may not be going out; or the tide may be lost, and he has to wait for the next tide with the vessel.

4507. The average occupation of every pilot in actual pilotage is one day a week, is it not?—No; that is the average of pilotage, not of occupation; because a large portion of a pilot's time is taken up in the charge of vessels lying at anchor in the river; many captains would not think their ships safe at anchor in the Mersey unless there was a pilot on board to take charge of them in cases of emergency; besides which there is other occupation.

4508. What is the number of men kept on board each pilot boat?—Twenty-five or 26 upon each boat.

4509. Is that number always kept up, or what is the averagen umber at any given time on board the pilot boat?—The number is kept up by the apprentice system.

4510. I do not mean the number attached to a boat but what is the number of men kept at the station?—When a boat is going out on to the inner station, seeing that she is not going on active pilot service, perhaps 10, 12, or 14 will go out in her, besides the apprentices.

4511. As they are taken off, do you supply their places, or does the vessel remain out till all the pilots are taken off?—Directly she has done with the inner duty, which is taking the pilots from the outward bound ships, she will go further off to the next station. Then the whole of her staff of pilots will go on board.

4512. What is the average number of men on board the boat when it is cruising?—The full number is 25 or 26.

4513. What is the average number?—I cannot tell the average number; it fluctuates.

4514. I understand, when a pilot pilots a vessel inward, he remains at home to pilot a vessel outward; is that so?—No; I never intended to give such an impression. Directly he has had his rest, he comes down to the pier head, and he is at my order, and at the orders of the master of the boat, to go wherever he may be sent; he may have to take charge of a vessel in the river, or to go to a distant port to bring a vessel to Liverpool.

4515. I understood you that the same man who pilots a vessel inward pilots her outward again?—As a rule, the pilot who brings a ship in, takes her out again, unless objected to; but the rule cannot be rigidly enforced; for instance, the ship may not be ready to sail, and the pilot boat has to go on her station; then another pilot boat takes charge of that vessel with other vessels belonging to the boat that brought her in.

4516. I understood you to say that you thought that the employment of pilots would fall off if this Bill passed into law; have you formed any opinion as to the extent to which it would fall off?—Yes; but it must be a mere conjecture.

4517. I presume you would be of the same opinion as other witnesses from Liverpool, that if this Bill passes into law, in bad weather there would be as much employment for pilots as there is now?—No; because anyone who could slip in might do so.

4518. What vessels would then decline to take pilots?—I do not know that any would decline, but some would say, "Now I am so near the bar I do not want a pilot." At present they are compelled to pay for the pilot.

4519. Do you think that in bad weather the greater

greater proportion of vessels would take pilots?—I think the bulk of foreign-going vessels would take pilots in bad weather, when it would be exceedingly difficult to get pilots. In fine weather I believe the pilot would have a poor chance of employment.

4520. I presume you believe that foreign vessels would always take pilots, in coming in at least?—It would depend upon the weather, and the temperament of the man in command.

4521. In fine weather, do not you think that foreign-going vesssels would take pilots?—In fine weather a prudent man would do it, but a vessel behind a string of vessels might say, "We have only to keep close up to the other vessels to get in safely."

4522. I presume you think that the large vessels coming from America would take pilots?—I think that no difference would be made by the large mail steamers; they would take excessive caution rather than otherwise.

4523. Then large sailing vessels would not, for the most part, take pilots, would they?—I think large sailing vessels would feel their dependence upon the pilots more than steamers.

4524. Would they be compelled more than steamers to take pilots?—Yes; if commanded by prudent men.

4525. Would they be compelled to take pilots even if they had tugs?—I cannot say. I am afraid that the tugs will be a great stumbling block in the way of the voluntary system of pilotage.

4526. Have you considered the evidence which has been given here, as to the employment of pilots on board vessels that are brought by tugs into the Thames?—The navigation of the Thames is peculiar. Its length may perhaps be the cause of that. I am afraid that, in the Thames, pilotage would considerably fall off.

4527. I speak of that portion of the service which is now voluntary, namely, vessels going to the north of Europe; I ask you whether you have considered the evidence which has been given here as to the employment of pilots by vessels when towed by a tug through the North Channel into the Thames, those vessels not being bound to carry pilots?—I have not considered that point.

4528. Then you have not formed any adequate opinion as to what the falling off of the employment of pilots would be?—No, it is impossible to get at it; but I should say it would vary, sometimes one-fourth and sometimes one-half.

4529. Have you any experience of the employment of pilots in places where the pilotage is voluntary?—No, I have not.

4530. Have you any experience to lead you to see any analogy between those cases and Liverpool?—I do not think there would be any analogy, because in most places where pilotage is voluntary the access is easy.

4531. But supposing, in places where the navigation is easy, the employment is very frequent, would not it be more frequent at Liverpool where the pilotage is so difficult?—I cannot say; it might be so.

4532. You were just now comparing places, and you said that the pilotage was so very easy in some places?—I gave it as an opinion, but I would rather not compare Liverpool with places I do not know.

4533. Supposing it was shown to you that at these places where the pilotage is so easy, the employment of pilots is very frequent, is it not possible that in Liverpool, where the pilotage is so difficult, the employment of pilots would be more frequent and more certain?—If it were shown to me I might form such an opinion, but nothing has been put forward as yet to make me change my opinion upon the point that there will be a considerable reduction in the pilotage of Liverpool

4534. What is the age at which the pilots get superannuated?—We do not confine the superannuation to age, but it depends upon whether the pilot is sick or infirm; the dock board are guided in this matter almost entirely by the report of a committee of pilots called visitors. If the visitors report that a pilot is fit for superannuation (and the visitors will not report to that effect unless they are quite sure), the board grants the superannuation to which the man is entitled.

4535. I see the number of superannuated in Liverpool is only 35?—It is a very small number; it is a little more than 10 per cent. of the whole service.

4536. Then I perceive that a considerable number of pilots go off in other directions?—Yes; they have left the service to improve their position.

4537. Is it only those who become incapacitated from infirmity and ill-health who are superannuated?—Several have gone off who were not worn out, but could claim the superannuation as a right; and it was considered at the time just as well to let them go, because it enabled the men who were serving to gain a little more income.

4538. What is the pension which they generally receive?—Our present scale is at the rate of 1 *l.* for every year of active service.

4539. So that if a man has been 25 years in the service he gets 25 *l.* a year, is that so?—It might be 26 *l.*, because it depends upon certain calculations for broken time.

4540. That is a very small pension, in fact?—It is very small, but it is better than at most other places. I think we are a long way ahead of London in that respect.

4541. But it is a small superannuation?—It is a small superannuation, there is no question about that.

4542. Could you tell the Committee the average age of the pilots in Liverpool?—Yes, I will look for it.

4543. Sir *Henry Selwin-Ibbetson.*] Is there any record of the accidents that happen in the Mersey in the year?—There are various records; the water bailiff keeps the record of such accidents as come under his own observation.

4544. Is there any general record so that you could distinguish between accidents happening while pilots are on board and accidents happening without pilots?—No. But when a pilot is on board a ship where any accident happens, he is compelled by law to report the circumstance.

4545. Is it possible to get a record of the accidents happening to coasting steamers without pilots, and the accidents happening to vessels that are under the guidance of pilots?—There is no such record with reference to coasting steamers. Speaking from recollection, I believe there were something like 133 reports from pilots for last year; that is about one per cent. of the vessels piloted, and that number includes accidents of the smallest kind, just touching the ground or pricking the bow with the anchor in docking, and

Mr. *R. P. J. Simpson*, R.N.

6 May 1870.

and losses and collisions where the pilots had absolutely no blame attached to them.

4546. Mr. *Graves.*] Are the pilots much employed within the port of Liverpool in shifting vessels from dock to dock?—Yes, they are.

4547. Is it not the almost invariable practice when a vessel shifts from dock to dock to have a pilot on board?—It is a common practice; it is voluntary; some do and some do not.

4548. I suppose it is not unusual in the winter to have vessels lying windbound a fortnight with pilots on board?—No; it often happens.

4549. You said you thought that the tug-boats would be the great stumbling block; what did you mean by that?—I said they would be the great stumbling block in the way of a good pilotage service upon the voluntary principle.

4550. Have you any apprehension that if it was purely voluntary many of our best pilots might leave the pilot service and become masters of tug-boats?—I do think so. If you have the voluntary system, I should say that tugs and pilots would naturally gravitate towards each other.

4551. The captain of a tug-boat would tow a vessel up, claiming salvage?—Yes; he might do so.

4552. There would be nothing to prevent them doing that under a purely voluntary system?—No.

4553. *Chairman.*] Do you think they would naturally gravitate together?—Yes.

4554. Do you see any reason why they should not gravitate together?—No, if pilotage is to be optional. Under the present system, in the case I mentioned of a tug asking such a large sum, in consequence of the pilot boat coming in sight and the pilotage being compulsory, the tug lowered her prices.

4555. It does not follow that they should give a large sum, if asked?—No, not necessarily.

4556. Do you see any reason why they should not gravitate together?—Not if you have the voluntary system. We have now a pilot service and a steam tug service. Under a voluntary system they would probably unite and become a salvage service.

4557. Mr. *John Stewart Hardy.*] But you have the greatest objection to steam-tugs being able to come and drive a bargain when a ship is in distress?—Yes, where it can be avoided.

4558. Do you think that most objectionable?—Yes, I do.

4559. *Chairman.*] But the court exercise some jurisdiction now over bargains of that kind if a vessel is in distress; do not they review that kind of contract?—Yes, where a bargain is disputed; but I have frequently known cases where a steam-tug would not make a bargain.

4560. He left it for the determination of the court afterwards?—Yes, or to the shipowner and steam-tug owner; so that when a steam-tug offers to make a bargain, she thinks that she is asking less than would be granted to her by the court.

4561. Mr. *Charles Turner.*] But pilots are not allowed to claim salvage, are they?—No, not without the consent of the dock board given in writing.

4562. Do you think that if a pilot were on board a steam-tug, it would leave it open to him to make an extortionate charge?—Yes, under the voluntary system.

4563. And that there would be no alternative in many cases but to submit to that extortion?—I think there would be no alternative in many cases.

4564. Mr. *Pemberton.*] Are you aware of any case in which any demand of that kind has been made and completed, which has been set aside afterwards by the court?—No; I believe bargains are constantly made between the tugs and ships.

4565. Have you ever heard of them being set aside as extortionate?—No, I think they are considered binding.

4566. Colonel *Bourne.*] You said, did you not, that the pilots had other duties of a very important character to perform, besides taking ships in and out?—Yes, they have.

4567. What are those duties?—I have described that they are frequently left in charge of ships at anchor in the river; captains and owners of ships are more content if they have a pilot on board; they do not care, so long as they have a pilot on board, if the officers are on shore. The ship may be fouled, or the tide may sweep her from her anchors, and if a pilot is on board he will know how to take charge of the ship, and do the best for her safety. Then there are launchings, docking, and transporting, and trial trips. Occasionally piloting to and from neighbouring ports, at the request of the captain remaining in charge, after passing the limits of compulsory pilotage; and other matters.

4568. Mr. *Gourley.*] In all such cases would you leave the ship in charge of a pilot rather than in the hands of the master or officers?—I would leave the captain or shipowner free to do as he pleased in that matter; it is a voluntary arrangement.

4569. Mr. *Cave.*] Is there any regulation charge for steam tugs in Liverpool?—They have a nominal scale of charges which they put forth, but they frequently make special agreements. There is no obligation to have a scale of charges.

Admiral GEORGE EVANS, called in; and Examined.

Admiral *G. Evans.*

4570. Mr. *Charles Turner.*] I BELIEVE you are acting conservator of the River Mersey?—Yes.

4571. I need not ask you whether you are a very old and experienced officer in the navy?—Yes, I have had a good deal of experience.

4572. In 1827, I believe, you were appointed commander of the first steamer appointed to be commissioned by the Admiralty for the use of his Royal Highness the Duke of Clarence, Lord High Admiral?—I was, and I took the first steamer across the Atlantic in 1833.

4573. In 1835-6, before you obtained the post of rear admiral, you were employed in investigating the maritime department of the Post Office, and in preparing the Sixth Report of the Post Office Inquiry Commission?—An application was made to the Admiralty for one of their Board to join the Post Office Inquiry Commission, and I was appointed, I being the officer most conversant at that time with steam.

4574. I believe you were appointed acting conservator of the River Mersey in April 1843?—Yes, in 1843.

4575. I dare say in that capacity it was your duty to make yourself fully acquainted with all the

the channels, and all the circumstances affecting the navigation into and out of the River Mersey?—Yes.

4576. And in discharge of that duty, I suppose you have made yourself very familiar with the approaches to the Mersey?—Yes.

4577. Have you surveyed the channels from time to time?—Yes, very frequently; I go to test the surveys of the marine surveyor.

4578. Is it your duty, as acting conservator, to test the surveys of the marine surveyor?—Yes, before publishing them.

4579. Is it your experience that great changes constantly take place in the channel of the Mersey?—Yes, very great changes; more than in any other harbour of the world that I have ever known; I have been nearly all over the world.

4580. Have you heard much of the evidence that has been already taken in reference to this matter?—No; I saw a little of it in some of the Liverpool papers.

4581. Is it your opinion that it requires very great vigilance to detect all the minute changes that are constantly taking place in the river?—Yes, it requires constant attendance, I may almost say day and night, to watch the changes that may take place in the banks, and also in the light ships and buoys, from collisions.

4582. In the course of your experience in the navy, have you visited many parts of the world?—I have, and surveyed harbours in the East and West Indies, and South America.

4583. Do you know of any other place with peculiarities and dangers which can be compared with the danger of the estuary of the bay of Liverpool?—I know of nothing like it.

4584. In consequence of those peculiarities, vessels, both inwards and outwards, especially in bad weather, require more than ordinary care, do not they, in the navigation?—Yes.

4585. Are you acquainted with the pilotage system of the port of Liverpool?—Yes, a little.

4586. Do you think that, as a body, the Liverpool pilotage service is conducted efficiently?—I do; and I have had the pleasure of stating so in most of my reports for the last 26 or 27 years.

4587. Do you publish annual reports with reference to the shifting of the banks in the river Mersey?—Yes.

4588. Do you consider that it is very desirable that the present constant supervision should be continued over the channels of the Mersey?—Certainly.

4589. Do you think that men, unless they go into and out of the port of Liverpool constantly, and make it their business to become acquainted with the variations in the channels, would be fit to conduct vessels in and out of the port of Liverpool?—Certainly not.

4590. Have you ever considered the question of compulsory and voluntary pilotage, as regards the dangers of the port?—Yes.

4591. What is your opinion of the proposed change of the law?—My opinion is founded upon a little experience. I was an amateur pilot from 1808 till 1811, when I entered the navy, and in going in and out of the Shannon we always let the small ships remain till they obtained a pilot. We generally ran out for the large ships, that is my notion of pilotage; no ship is safe without a pilot in the Mersey.

4592. Do not you think that voluntary pilotage is really inapplicable to the port of Liverpool?—I do think it is; if I were a pilot in Liverpool, and pilotage was made voluntary, I would go and take the command of a small coasting vessel, and I should get paid as captain of the ship, and having been a pilot, and having my certificate, I would get both captain's pay and pilot's pay.

4593. Speaking as a gentleman, like yourself, of great naval experience, and great experience for the last 27 years in the port of Liverpool particularly, and founding your opinion upon your experience first of all as a naval officer, and then as the gentleman who has the superintendance of the buoys, the channels, and the navigation of the port of Liverpool, is it your opinion that the system of voluntary pilotage is wholly unsuitable for the port of Liverpool?—I consider it is wholly unsuitable, and I should hope and trust that it will never be allowed as long as I live.

4594. Do you consider that an alteration from the present system would involve great danger both to life and property?—No doubt it would involve great danger to life.

4595. What do you say as regards property?—Property they take very good care of; sometimes you see that shipowners like to lose their ships. I have gone down to the underwriters' rooms and told them how to prevent the vessels being wrecked in the river; they received me very politely; but what did they tell me? They said, "Sir, if we do not lose a ship occasionally, we may shut up shop;" and they shut me up, and I walked out. I think they are not the proper persons to trust with the lives of other people.

4596. Are there any general observations which you would like to make upon this subject?—Yes; I should like to say this, that the state of Liverpool is such that in the Transfer Act to the Board of Trade of all the harbours of the kingdom, Liverpool was not included. Liverpool is such an exceptional case altogether, that the Conservancy Board and the commissioners under the advice of the Board of Admiralty, and all their staff, excepted the Mersey and the port of Liverpool, and that is the only port that is excepted. All the rest, except the royal harbours, are under the control of the Board of Trade, and they have very good reason for that. I should say that the very same circumstances might occur here, that the Liverpool pilotage might also be made an exception, and if it is not, I would not answer for the safety of the trade of the port.

4597. Mr. *Pemberton.*] Your opinion is very decided about the relative merits of the compulsory and voluntary systems. You made that statement principally with reference to Liverpool, but I conclude your opinion is the same with reference to any other port where the difficulties of access are as great?—I do not know any port at all to be compared to Liverpool.

4598. There may be some, may there not?—I do not know any port that can be compared to Liverpool.

4599. If there was any harbour presenting the same difficulties of navigation, would your objection to the voluntary system be the same as it is with regard to Liverpool?—Yes, if it be equal to Liverpool.

4600. I suppose you are more or less acquainted with the navigation of the Channel?—Yes; I believe I am one of the oldest junior brothers of the Trinity House.

4601. What is your opinion of compulsory pilotage so far as that district is concerned?—It

Admiral *G. Evans.*

6 May 1870.

is a different thing there; I have taken a frigate up there; you have the land in sight; you have anchorage, and you have everything in your favour. There is no difficulty in taking a ship up the Thames; but where you are out of sight of land, and have no anchorage, and nothing but the buoys which are fluctuating every day, to guide you, the thing is as different as daylight and dark. I would not hesitate to take a ship up the Thames to-morrow; and every shipmaster, with a good chart, ought to know how to take his ship up. You can anchor from the Downs up, but in running into Liverpool, how can you anchor in a gale of wind?

4602. Mr. *Charles Turner.*] There is no anchorage outside the bar, is there?—No, not with a north-west gale.

4603. Are not the tides very strong at Liverpool?—Yes, they are very strong.

4604. That adds to the risk, does it not?—Yes; those very strong tides when they come in and meet the river waters, dam up the river, the consequence is that when the ebb tide makes, you have not only a discharge of the quantity of salt water, but an additional discharge of pure river water. The ebb-tide runs out for half an hour, and sometimes in the freshes nearly an hour, while the flood tide is making for the bar, they both meet, and down goes the sediment, forming the bar. It forms the bar just in the same way as you would make a railway embankment.

4605. Have you read Sir Frederick Arrow's evidence?—No.

4606. He stated that the navigation from the Downs to London was as difficult as in any other port?—It is very likely he said so, because he did not know Liverpool.

4607. Mr. *Cave.*] Do you know the Bristol Channel at all?—I did know it at one time, when I was on the Post Office Inquiry Commission, and I have been down to Cardiff since.

4608. What is your opinion with regard to the difficulties of navigation there?—It is not to be compared to the Mersey in any way; it is not required to be surveyed every year.

4609. Are there not a good many shifting banks?—Yes, there are some up the river.

4610. The tide rises very rapidly, does it not?—Yes, and very high; but you have the advantage of having plenty of water for the ship. You will see in the Sixth Report of the Post Office Inquiry Commission, that if a railway were made down to a particular place, Weston-super-Mare, you might make a good harbour there.

4611. Do you think an ordinary shipmaster, with a chart, could navigate up the Bristol Channel?—I think an ordinary shipmaster might, with a good chart, go up the Bristol Channel to a certain extent, as far as Weston-super-Mare.

4612. Do you think the voluntary system would answer there?—I am not able to speak to that; I do not know it sufficiently well. I have no doubt there are many places where the voluntary system would be very good.

4613. Sir *Charles Wingfield.*] You stated that you had taken a ship up to the Downs yourself?—Yes.

4614. Up to London?—No; a frigate never goes beyond Woolwich.

4615. Fifty years ago a vessel might have gone, might she not?—It is 51 years ago since I took the frigate up; it was in 1819. I took her up by backing and filling her; we had no steam. That is a system that even our pilots could not do; backing and filling a ship up the river is a thing which has now nearly exploded.

4616. The use of steam has facilitated and supplemented pilotage in the Thames immensely?—Yes; and destroyed the Nursery for sailors.

4617. *Chairman.*] Do you look upon Liverpool as a very exceptional case?—It is not only very exceptional, but it is a most extraordinary exceptional case; it is such a case that you will never hear of again.

4618. Do you think there are not the same reasons elsewhere for maintaining compulsory pilotage as there are at Liverpool?—I would advise the gentlemen of this Committee to drop Liverpool, and let well enough alone. I have never heard a complaint since I have been there.

4619. Would you object to this Bill going on with respect to other places?—I have nothing to do with any other places; but if I am sent to report upon other places, I will report upon them. I did so upon nearly every port in the United Kingdom when I was on the Post Office Inquiry Commission in 1835 and 1836.

Mr. Henry Bremner, called in; and Examined.

Mr. *H. Bremner.*

4620. Mr. *Graves.*] I believe you are Solicitor to the Pilots of Liverpool?—Yes.

4621. How long have you acted in that capacity?—Nearly 20 years.

4622. You are acquainted, no doubt, with their legal position under the several Acts of Parliament?—Yes.

4623. Do you wish to give evidence before this Committee as to the claims of the pilots for compensation?—Yes.

4624. Will you state their legal position?—I do not think I need go over that ground again; it has been fully stated by Mr. Squarey as to their position when the Mersey Board obtained the pilotage authority.

4625. Is there any other legislation connected with it that you would desire to put before the Committee?—The Mersey Board promoted a Bill in Parliament in 1864, for further dock accommodation on the Liverpool side, in which Bill they proposed to alter the mode of levying the rates of pilotage from depth of water to tonnage.

4626. That Bill came to nothing?—The pilotage clauses were withdrawn.

4627. Did the Board of Trade in their Report upon Docks and Navigation Bills in the years 1857, 1858, and 1864, make any reference to any suggested alteration as regards compulsory pilotage?—In the Board of Trade Reports on the Bills of 1857 and 1858, there were no references to the question in any way, but only to the question of differential dues, and they reported strongly against the continuance of them, and they have been since abolished. In the report of 1864, they refer to the Report of the Select Committee of 1860, in these terms, "'Shipowners engaged in the long voyage trades generally express themselves satisfied with the existing system, that this class of shipowners in the confidence that when a pilot is on board their ships

ships they are practically exempt from liability in the event of collision, cheerfully submit to bear the charge of compulsory pilotage;' and that 'the witnesses from Liverpool were in favour of maintaining the existing system of compulsory pilotage, and that the establishment of pilots at that port is evidently conducted in a satisfactory manner.' Whether there are any circumstances peculiar to the port of Liverpool which call for an exception from the ordinary principles of recent legislation, which the Committee of 1860 have reported to be no less applicable to pilotage than to other matters, is no doubt a question; but the Board of Trade cannot help observing that the present Bill, so far from being a step in the direction recommended by the Committee, is precisely the reverse. It apparently increases the rates of pilotage; it confirms the system of compulsory pilotage; it enforces compulsory pilotage by a series of cumulative penalties perfectly uncertain and unlimited in amount; and it withdraws the power of enforcing these penalties from the judicial tribunals of the country, and places them in the hands of an executive and irresponsible body, by whom these pilots are appointed. That the Mersey pilotage is, on the whole, admirably managed, there seems to be no doubt; but whether its management is such as to justify and demand powers so inconsistent with the usual course of legislation and government in this country may well be doubted."

4628. What has been the imperial legislation upon the subject of compulsory pilotage?—The present Bill is the first which has ever been introduced into Parliament to abolish compulsory pilotage. The Merchant Shipping Act of 1854 expressly confirmed compulsory pilotage by the 353rd section; and the 354th section inflicts a penalty of 100 *l.* upon home trade passenger ships if they do not take pilots, unless they have a certificated master or mate on board. The Amendment Act of 1862 gave increased facilities for exemptions from compulsory pilotage, but I am not aware that they have ever been put in operation, certainly not in Liverpool.

4629. Can you give any information as to why they have not been put into operation in Liverpool?—Because, I presume, the Mersey Board did not think itself justified in extending exemptions. There are two powers given under the Amendment Act of 1862. Either the pilotage authority itself has the power to extend the exemptions, or the Board of Trade may, by a provisional order, exempt any district from compulsory pilotage; but the provisional order, of course, would subsequently have to obtain the sanction of Parliament if opposed.

4630. Notwithstanding the Report of the Select Committee in 1860, Parliament has not heretofore legislated respecting compulsory pilotage?—Not in any way. In 1861 it recommended the abolition of differential dues; they abolished them, and in 1862 they passed the Amended Shipping Act that I referred to. I may say, that in that Bill of 1862, whilst it was passing through Parliament, Mr. Lindsay, the then Member for Sunderland, moved to insert the following clause: "That the masters and owners of all ships, or of any classes of ships, shall not be obliged to employ pilots in any pilotage district, or shall not be obliged to pay for pilots when not employing them in any district, or in any part of any pilotage district."

That clause was opposed by Mr. Milner Gibson then President of the Board of Trade, and it was not inserted in the Bill.

Mr. *H. Bremner.*

6 May 1870.

4631. Have you any opinion to offer upon the subject of compulsory pilotage?—Irrespective of any professional opinion which I might be supposed to have, I have a very strong opinion upon the subject, and I totally disagree with Mr. Farrer when he says, "It is no part of the business of the Government to take a ship out of the hands of those most interested in her safety; hence shipowners and insurers are much better judges of what they need than the Government can be." I totally dissent from that. I conceive it to be not only the place of the Government, but the duty of the Government, to do so, and it has done so in many ways. For instance, there are all the burdens which have been placed upon shipowners under the Passenger Acts. There was salvage for life, established by the Act of 1854, for the first time. Then there is the liability of shipowners of 15 *l.* and 8 *l.* per ton imposed by the Act of 1862. The inspection of railways, before opening the inspection of mines, the employment of children and women under the Factories Act and the Bakehouse Act, even to limiting the hours of working in milliners' shops, an interference not only with the conduct of his business, but what is called the liberty of the subject.

4632. Have you formed any opinion as to how the subject could be dealt with by laying down some general principle?—I conceive if the subject is required to be dealt with at all, that the only reasonable mode of dealing with it is to leave it in the hands of the pilotage authority, to do such acts which it may think most conducive to the interests of the port; if the pilotage authority thought that abolition would be beneficial, it would promote the same, as the authorities of the Tyne, Newport, Cardiff, and Leith have done; they thought that for the purpose of fostering their trade, and increasing it, they might do it with safety, and they did it; the Thames, the Mersey, the Humber, and the Clyde have always thought otherwise; they have never taken any steps in that direction; I consider that the legislation heretofore has always been in that direction, for in the Merchant Shipping Bill of 1854, it gave power to the pilotage authorities to increase exemptions; and in the Act of 1862, as I said before, it gave increased facilities for exemptions; and that very system and the very principle which was authorised in the Acts of 1854 and 1862, was brought forward in the Bill of last year, and again in the code of this year; the 467th clause.

4633. Probably you would think that such a body as the Mersey Docks and Harbour Board would be better qualified to decide upon the principle of pilotage best adapted to your port than even the Legislature itself?—I cannot conceive a body better qualified to legislate upon such a subject; when I consider that 24 of them are merchants of the highest character and standing, elected by the dock ratepayers, and four are gentlemen nominated by the Mersey Conservancy Commissioners, who have a peculiar knowledge upon such a subject, I can hardly conceive a higher or a better authority.

4634. Can you state the objections which the pilots of Liverpool have to the present Bill?—They are twofold; in the first place, there is no provision whatever in the Bill for compensating

Mr. *H. Bremner.* 6 May 1870.

the owners of the boats in any way, and the proposed compensation on behalf of the men, I think, as it at present stands in the Bill, is totally inadequate for the purpose.

4635. In what respect do you consider it inadequate?—As it stands at present there is no certainty about it; and, assuming that there would be a loss under the operation of the Bill, first, they cannot be compensated, nor can the matter be inquired into for the space of from two to three years. Secondly, superannuation is not compensation, unless it be definite, fixed, and compulsory; but it is none of these. Thirdly, it depends upon opinion whether a diminution of employment has been caused by the operation of the Act. Fourthly, the Board of Trade is to be the sole judge. Fifthly, the Board of Trade is to determine and fix how many pilots are to be withdrawn and may make a report. Sixth, Her Majesty's Treasury may, if they think fit, grant a sum of money. I consider that you ought to make the fact of the diminution in receipts conclusive evidence of the operation of the Act; then define the mode and the number to be superannuated according to such diminution, and fix the amount of compensation and make it compulsory on the Treasury to pay retrospectively from the time when the diminution began, and not to commence at the end of two or three years.

4636. Then, in what mode do you think the pilot should be compensated?—The pilot has at present an income of about 200 *l.* per annum net, guaranteed to him by Act of Parliament in return for the apprenticeship he has gone through, the years he has been in the service, and the services which he has rendered to shipping. I think, therefore, that he ought to be compensated, either by having his present remuneration guaranteed to him for a term of 10 years, which is the Parliamentary term, as was established with respect to the differential dues, or that his superannuation should be fixed at two-thirds of his present earnings, which also appears to be the Parliamentary mode of remunerating.

4637. Mr. Simpson has stated the amount of the Liverpool Annuities Fund, and the amount the pilots receive therefrom; do you confirm these items?—Yes; the fund is 10,691 *l.* and the interest upon that sum of 2½ per cent. upon the gross earnings forms the sum out of which the annuities are paid. A previous witness stated that it was at the option of the Board to grant the annuity, but the annuity is fixed by the 148th clause absolutely.

4638. Will you read the section?—"Such fund shall be applied by the Board as follows (that is to say); in the first place, in the payment of such pensions, allowances and annuities as may have at any time been granted under the authority of the Liverpool Pilotage Act, and may be still subsisting at the commencement of this Act, so long as the Board may think proper to continue the payment thereof; and, in the second place, in the payment of annuities, or weekly or other allowances to the persons hereinafter specified, and to them only (that is to say); first, to such pilots as, having attained the age of 50 years, and having served as pilots under the provisions of the Liverpool Pilotage Act, or of this Act, not less than 20 years, shall retire from the service; secondly, to such pilots as, by reason of infirmity, sickness, or accident, may, in the judgment of the Board, be rendered incapable of following their trade, although they may not have attained the age of 50 years, or may not have served as pilots for 20 years, provided that no person shall be entitled to any annuity or weekly or other allowance, who shall be proved, to the satisfaction of the Board, to have brought on such infirmity, sickness, or disability, by drunkenness, lewdness, or any other vice; and, thirdly, to the widows and children of deceased pilots." Therefore, presuming the pilot has conducted himself properly, and has not brought on his inability by vices, it is compulsory upon the Board to grant a pension upon the scale laid down.

4639. *Chairman.*] I do not see that there is any scale set down for actual payment?—The scale is prescribed by the bye-law, No. 4.

4640. Does not the annuity depend upon the funds they have in hand; there is no prescribed rule with reference to it, is there?—Yes; the sum is fixed as to what they are to have, according to the number of years they have been in service.

4641. That is fixed in the bye-law?—Yes.

4642. It is not a matter of law?—No.

4643. Mr. *Wykeham Martin.*] Are those bye-laws ratified by the Act?—They are made under the authority of the Act, and ratified by the Board of Trade.

4644. And they have the force of an Act of Parliament?—Yes, when confirmed.

4645. Mr. *Graves.*] What would be the effect of the second clause of the Bill upon superannuation?—If a considerable number of pilots were superannuated, then the per-centage would be less from the reduced earnings, and the fund could not pay the annuities now due and payable, therefore it ought to be compulsory upon the Treasury to make up the deficiency.

4646. Do the pilots of Liverpool think any further powers should be granted to the pilotage authorities with regard to rates?—I think that the pilotage authorities might have powers granted to them to raise the rate now fixed by the Act of Parliament, to enable them to make different rates for summer and winter, if it were advisable. That power was given in the first Liverpool Pilotage Act, which, in the subsequent Act, was dispensed with.

4647. *Chairman.*] Is it not now the law that they have the power to make a difference between winter and summer?—It was in the Act of 1766, but it is not in any subsequent Acts. By the 134th section the Board may determine the different reasons, but they cannot raise the present rates, therefore the section is nugatory.

4648. Mr. *Wykeham Martin.*] Is that Act wholly repealed?—Entirely.

4649. Mr. *Graves.*] We will now come to the question of boat-ownery; the Committee is anxious to get some information about that; what is the estimated value of the shares in the boats?—As far as I can gather, the average which each of the present owners has actually paid for his share is 120 *l.*; that would bring up the sum, which the present pilots have paid, to 92,160 *l.*

4650. *Chairman.*] Is that taken from the actual payment made by the owners?—The actual payment made; every pilot can prove to a fraction the sum that he has paid, by the production of his bills of sale.

4651. It is not taken from the last average payment?—No; it is taken from all the pilots who have purchased shares.

4652. Mr. *Graves.*] How are these shares held and

and disposed of?—I will endeavour to explain that to the Committee, because I think there is some little misapprehension with respect to it; the pilots always provided the boats from the commencement of the first Act of Parliament; but the subject of the boats and the ownery was not recognised by any Act of Parliament till 1824, when the licensing of the boats first came under the authority of the Commissioners; at that time the pilots put 11 boats upon the stations, and although we cannot find any record of what they cost, it is calculated that those 11 boats cost about 1,000*l.* each, that would be 11,000*l.*; they have provided 10 new boats intermediately between 1824 and the present time, and the average cost of those was about 1,600*l.*, that would be 16,000*l.* The sum paid for the 12 boats now in the service was 28,960*l.* 14*s.* 4*d.*, that would make a total cost of 55,960*l.* 14*s.* 4*d.*, which the pilots have expended in building boats for the pilotage service since 1824. Now, by reason of the increased expenditure in building new boats, the price of the shares has increased. Whenever a pilot dies, or retires from the service, his representatives can only hold the shares for 12 months, and the committee fix the price of the shares. By the 158 Sec., "Previous to the day of such sale, the Board shall cause a communication in writing to be made to the person so ceasing to be a pilot, or in the case of death, to his personal representatives, or his or their agent or attorney, stating the sum of money which shall, in the opinion of the board, be equal to the intrinsic worth of such pilot boat, or of such share or interest therein as aforesaid, having regard to the then state of such pilot boat, and adding thereto such a sum for the privileges of such boat, as in the opinion of the board shall be a reasonable compensation for such privilege." The consequence has been, that the value of that privilege which is here spoken of, "such a sum for the privileges of such boat" as they in their judgment shall think fit, has raised the actual sum paid by the pilots for the boats, which is 55,960*l.* to 92,160*l.*, which is the actual sum that the present owners have paid for their shares.

4653. *Chairman.*] Have you taken the values out for the intermediate period?—Yes, 11 boats in 1824, at 1,000*l.* each, 11,000*l.*; in the intermediate period, 10 boats at 1,600*l.* each, 16,000*l.*, and the present boats have cost 28,960*l.*

4654. I want the artificial value, not the real value?—The market value has decreased; as much as 145*l.* has been paid for a share.

4655. How long ago was that?—1852; 125*l.*, 130*l.*, and I believe as much as 145*l.* has been paid for a share.

4656. But the highest prize was in 1852?—Yes.

4657. Mr. *Wykeham Martin.*] What is the present price?—Mr. Simpson said about 118*l.*

4658. Mr. *Graves.*] Have you any idea what governs the committee in fixing the price of a share?—I presume the price which the deceased man gave for it, and the earnings of that particular boat, because each boat's earnings are different; one may be a successful boat, and earning more money than another.

4659. And the value of the shares will differ accordingly?—The value of the shares in each boat differs. For instance, No. 7 last year earned 233*l.* 8*s.* 3*d.* each man, whereas No. 1 only earned 203*l.* 7*s.* 9*d.*

4660. Why is it that there is such competition among the pilots to hold shares in these boats?—I presume it arises from two causes; competition and investment. For instance, they are not allowed to be licensed victuallers, and there are many other things that they are not allowed to embark in; and the natural mode in which a pilot invests his money is in a pilot boat. They are very anxious to get enough money to buy a share in a boat.

Mr. *H. Bremner.* 6 May 1870.

4661. Do you think it acts as an incentive to industry and frugality?—I think it is the highest incentive that can be offered to them. I should like to correct an observation made by Mr. Farrar. He spoke of "Those boatowners who were not pilots." That is not so. Nobody by law can hold a share in a Liverpool pilot boat but a pilot.

4662. *Chairman.*] He may be a superannuated pilot?—He must still be a pilot; he must still pay his three guineas annually for his pilot license.

4663. Though he does not go to sea?—Yes; he is exempted from going to sea, but he is still a pilot.

4664. Mr. *Graves.*] You think, on the whole, that the tendency of this principle of boat-owning among the pilots is a salutary one?—Yes, I do; I think it is a very great incentive to a pilot to save his money and buy a share.

4665. They look upon it with great pride if they are interested in a fine boat?—I believe they do, generally. I have heard some pilots, however, say that they would not invest their earnings in a pilot boat, because it is too hazardous.

4666. They do not think they get sufficient return for the hazardous nature of the investment?—Yes; but generally speaking they are desirous of holding shares.

4667. Do you consider that the owners ought to be compensated according to the sum which they have paid for these shares, if compensation becomes necessary?—Certainly; I think it would be very unjust indeed to abolish a system whereby the practice of boat-ownery has grown up, so as to have induced these men to have expended a large sum of money in actual payment. It is not a fictitious value to them, it is an actual payment. I think it would be very unjust, and I think the Legislature will not do it. I do not believe that it is the practice of the Legislature to do so. Whenever rights have been cancelled by Acts of Parliament, and especially where services have been rendered, Parliament has always compensated the parties. Take the case of the Government buying the telegraphs; they not only paid the shareholders in the telegraph companies the amount of their shares, but they paid them a sum for the compulsory sale besides; "Damages for disturbance" is the present Parliamentary phraseology.

4668. Is the per-centage for compulsory sale fixed by the Legislature?—No, I cannot state that, but, from my professional experience, when a compulsory sale takes place, there is generally 10 per cent, added for that compulsory sale.

4669. Twenty per cent., is it not?—Not in land and shares.

4670. What do you suggest should be the mode of compensating the owners of the pilot boats?—There are two modes, either that the Government should buy the boats at the exact prices at which each individual pilot has given for his share (and the price that each has given can be accurately ascertained), or that the boats should be valued

Mr. *H. Bremner.* 6 May 1870.

at their present value. That the pilots should buy them at their intrinsic value, and that the Government should pay them the difference between the intrinsic value of the boats and the sum they have actually paid for them.

4671. Do you include in that the per-centage for compulsory sale?—That would require to be added.

4672. What is the other alternative?—Either that the Government should buy them out entirely, or that they should be valued, and that the pilots should take them at their intrinsic value, and the Government pay the price between that value and the value the pilots paid for them.

4673. How could this be carried out?—There are no means at all, and there are no clauses in any way touching boat-ownery in the Bill; of necessity there would have to be a clause inserted in the Bill giving the pilotage authority and the Board of Trade the power to make an arrangement to ascertain the value, and to carry out such arrangement exactly in the same way as that of Mr. Cardwell's Act of 1853, when the Cinque Ports pilots were transferred from the jurisdiction of the Lord Warden of the Cinque Ports to the Trinity House.

4674. How was that done?—There was a power given by the 10th and 11th sections, whereby the Board of Trade, with the Trinity House, might propound a scheme for the purpose of ascertaining the value of the property which then belonged to the Cinque Ports, the emoluments which they were entitled to, and the pensions they were entitled to. They gave the Board of Trade and the Trinity House power to make regulations and to carry them out. But it would require some specific authority to be put in the Bill, to enable the Board of Trade and the Mersey Board to carry out any proposal Parliament might think fit to make with respect to the boats.

4675. What in your opinion is the effect of the sixth paragraph of the second clause of the Bill?—I conceive it to be an entire misconception of the draughtsman. I am satisfied that the Board of Trade did not intend it to have the operation which the words at present convey, because, as it at present stands, no pilotage authority would be entitled to any compensation at all if they should have licensed any pilots after the 15th of February last. Therefore that section would have to be altered, making it, that no pilot or apprentice who entered the service after the 15th of February, should be entitled to any compensation for any loss he might sustain under the operation of this Act; that the limitation should be to the person and not to the authority.

4676. What is the legal position of an apprentice coming out of his time at present?—Our Liverpool apprentices are bound under the authority of the Act of Parliament. The bye-laws 128, 129, 130, prescribe the requisites, the form, and the duties. Section 121 of the Act gives him the right to be licensed if qualified, and therefore an apprentice who is duly bound under the authority of the Act, and has duly served his time, and is qualified to pass all the examinations which the law requires him to pass, is by law entitled to be licensed, and no authority could prevent him. Supposing he applied to the authority and they refused to license him, he could go to the Court of Queen's Bench and get a mandamus to compel them to license him; of course, I mean, if he is duly qualified.

4677. In the event of this Bill becoming law, I suppose it is your opinion that the apprentices would have a claim for compensation, the same as the licensed pilots would?—When their time arrived for superannuation they would; they would have no claim to present compensation.

4678. Have not they precisely the same claim as a licensed pilot would have to compensation under this Act?—As apprentices, they would have no claim to compensation, but when they are out of their time and have passed their examination, they would be entitled to be licensed, and then they would be in precisely the same position as any other pilots.

4679. *Chairman.*] With regard to the principle which you would lay down in superannuating a certain number in consequence of the provisions of this Bill, I suppose you would not put it higher than this, that in superannuating a certain number of men, the number should have relation not only to the number of the pilots, but the number of the apprentices who would be coming on as pilots?—Yes; but the apprentice is not in a position to be thought of with respect to compensation, because he has not come into the service.

4680. Mr. *Graves.*] Supposing this Bill becomes law, and the revenue of pilots falls off considerably under the voluntary system, and there is a claim for compensation to the pilots, would not an apprentice who was within a month of completing his servitude when this Bill becomes law, be equally entitled to consideration, having entered the service under the compulsory system?—I hardly see what compensation he would require, because he naturally would not be superannuated.

4681. Would not his income fall off proportionately with the others when he became a pilot; I talk of his becoming a pilot, not of superannuation?—I take the principle of the Bill to be this, that if, by the operation of the Bill, should it become an Act, there should be a diminution of employment, then the proposal is that such a number should be superannuated as will leave to those remaining in the service the same average net income which they are getting at present, and that therefore an apprentice would not come into the same category at all, because the apprentice, when he was licensed, would not be the man to be superannuated; he would be filling up the vacuum of the old members. Hereafter, when he came to be superannuated, he would have the same right to be superannuated as if he had been a licensed pilot at the time the Act came into existence.

4682. Mr. *Cave.*] He could not lose it at first under the Act, because it is provided that there should be so few left that their income will be kept up?—That is so.

4683. Mr. *Wykeham Martin.*] But the damage to him would be that he never could get on?—Yes; that is under the operation of the 6th subsection. Of course if the sub-section remains in its present *totidem verbis*, it would exclude the apprentice from any claim hereafter.

4684. Mr. *Graves.*] Now as to the liability of the pilot in Liverpool; it has been generally supposed that it is a very nominal liability; is that so in practice?—No; it is an absolute liability; it is an unlimited liability. The Thames pilots are only liable in a bond of 100 *l.*, whereas the Liverpool pilots have an unlimited liability, and actions are brought against them, and sometimes

times they have had to pay. They are liable to the whole amount of their fortune.

4685. Are there instances of pilots being imprisoned who were unable to pay the amount?—Yes, and when I find that there are 20 men whose average property is 1,400*l.* each, and 40 men with 600*l.* each, it shows that they are men of substance who could be sued, and who would be compelled to pay.

4686. Would the pilots consider it a relief if their liability was limited to 100*l.*, like the pilots in the Thames?—No doubt.

4687. Mr. *Wykeham Martin.*] In the case of the Thames, I have before me a memorial which states, and the other witnesses of whom I have asked the question have stated in this room, that practically it is not once in a hundred times that any shipowner does recover anything from a pilot; do you mean to say that they generally do recover in the Mersey?—Yes, there are frequent instances where actions are brought against pilots. Under the Mersey Docks Act the magistrates have a summary jurisdiction.

4688. Your case is entirely different from the Thames?—Yes, it is a question of unlimited liability, and by the 95th section the justices have a summary jurisdiction up to the extent of 50*l.*

4689. Mr. *Cave.*] Do the Liverpool pilots give security as well?—No.

4690. *Chairman.*] I want to understand what your view is with regard to the compensation which ought to be given in the event of this Bill becoming law; as far as I understand, you do not disapprove of the first principle laid down in the Bill, that we are to wait and see what falling off there is in the employment of the pilots?—That is assuming the Bill to pass.

4691. You do not disagree with that?—No, I rather think that is an advantage, provided if it should eventually turn out that there is a diminution of employment, the compensation should be retrospective.

4692. You do not disapprove of the first principle laid down, that you are to wait and see whether there is a falling off of employment?—I approve of it.

4693. You do not think it right to take any steps at once to reduce the number?—No, I think it would be prejudicial to themselves, and the service.

4694. Having ascertained whether there is a falling off in the employment, you do not think it an unfair thing that the principle should be laid down that a certain number should be withdrawn from the service?—I do not think that I can answer that question except from the evidence which other gentlemen have given. It depends upon whether the pilotage authority thinks that a smaller number of pilots is sufficient for the services of the port.

4695. I will assume that they think that a smaller number is sufficient for the service of the port, and they say that one fifth or one fourth fewer pilots would be sufficient; I presume then, you would not think it unfair to withdraw by superannuation from the existing number of men to that amount?—I do not think that superannuation is compensation.

4696. Whatever you call it; whether you call it superannuation or compensation, that method of dealing with the thing is not an improper one; is that your view?—A man may not wish to be superannuated; he says, "Why should I be compelled to leave an employment where I am getting three-thirds, for a superannuation of two-thirds."

4697. Out of 240 pilots, I presume it would not be difficult to find a certain number of men on the verge of their own superannuation, whom you might tempt out of the service by giving something more than the superannuation they would be entitled to after a few years?—My knowledge does not enable me to say that. Mr. Simpson could answer that question better than I can.

4698. Arguing from general principles, I should say it would not be difficult to find a certain number of men on the verge of superannuation, who might be tempted out of the service by giving them something more than the superannuation they would be entitled to after a few years?—Probably that is so.

4699. You think that is not an unfair principle to proceed upon?—I do not think it an unfair principle to proceed upon if you give a man a sufficient compensation, but your Bill does not prescribe any amount; it is neither fixed nor compulsory.

4700. You think there should be a prescribed superannuation?—Either that they should have their present income for the term of ten years longer, or that they should retire on the two-thirds, which should be fixed and compulsory.

4701. But you must recollect this, that the men are receiving 200*l.* a year now, and the superannuation they are entitled to at law is only from 25*l.* to 40*l.* a year?—It depends upon the number of years' service. I think one of the present annuitants is getting 48*l.* a year.

4702. So that a man who is just on the verge of his superannuation, if he receives his whole present income for 10 years, or if he should be superannuated at two-thirds of his present income, would be, under this Bill, receiving a great deal more, and making a very good thing of it, compared with what he would receive if the service continued?—Quite so. If he was on the verge of his superannuation, but there are very few on the verge of superannuation, because the numbers superannuated annually is very small.

4703. I see four or five are superannuated every year, but there must be also a certain number going off from other causes every year?—Some few leave the service, seeking for other employment, and they do not get any superannuation.

4704. Two or three a year would be a sensible diminution in the number of pilots if you did not add to the number by bringing in fresh apprentices?—It is filled up for the service every year, because we have 72 apprentices; now, therefore, the 72 apprentices must come into the service and they must be licensed.

4705. You say the apprentices ought to be taken into consideration in estimating what number of pilots should be superannuated, but if you stop the flow of apprentices you will very soon produce a sensible effect upon the number of pilots?—We are anticipated for the next seven years by the present number of apprentices. Supposing we commenced now not to take a single additional apprentice, we are provided for seven years by the 72 apprentices now on.

4706. Have you introduced any clauses yourself to be inserted in the Bill?—I propose to put certain clauses into the hands of the honourable Member for Liverpool.

Mr. *H. Bremner.*

6 May 1870.

4707. Have you got them now?—No; it would depend upon the result of the examinations.

4708. I want to know what your actual view is with regard to superannuation?—My view is, that if they are to be superannuated upon two-thirds, the diminution of employment should be conclusive evidence, even in the opinion of the Board of Trade, that the diminution of employment had arisen from the operation of the Act.

4709. Even upon your principle, it must determine how many persons are to be promoted?—Yes; I think the pilotage authorities are the best parties to decide that.

4710. Must not it be with the approval of the Board of Trade?—I think it must rest with the pilotage authorities, in the first instance, for this reason: they must regulate what number they require for the services of the port; it really must come to that; they are the better judges what number they require to carry on the service of the port.

4711. You would take into account, not only the incomes the men are making at the time of the passing of the Act, but also what number the pilotage authorities think necessary for the services of the port?—Yes.

4712. Now we will go on to the question of compensation to the boat owners. Your proposition is that the Government should take this opportunity of buying up all the dead weight which now hangs over the pilotage funds, namely, the difference between the actual value of the vessels and the market value for which they sell?—I have tried to find out any other mode of doing it than one of those two, and I cannot conceive any other, to do justice to the men who have paid the money.

4713. Supposing there was one-fourth less employment for pilots after the passing of the Bill than there is now, and that one-fourth of the pilots would have to be superannuated, and it turned out that one-fourth fewer vessels would be required, it would not be necessary for the Government to compensate the owners of all the other vessels, but only those struck off the list?—Then would come the question, which are to be struck off.

4714. That would not be any matter of difficulty in determining; what you have to do is to reduce the number of vessels?—Yes, it would be a matter of very great difficulty. Supposing this Bill become an Act, its passing diminishes the value of the shares of all the boats at once.

4715. After the men have been superannuated, and supposing the number of vessels is reduced in proportion to the number of pilots who are to go on, then the value of the vessels would be restored to the value at which they originally stood; the good-will of the vessels would still subsist?—I do not follow that argument, for this reason: it is assuming that the gross revenue will diminish; if the pilots are diminished by say one-third, the revenue, as a matter of course, will be so much diminished.

4716. The revenue would only diminish in proportion to the reduction of the number of pilots; as I understand it, out of every boat the receipts must go to the owners of the vessels?—No, a specific sum; so many shares of the earnings go to the owners of the vessels.

4717. So that if, after this Bill comes into law, and after the reduction has taken place in the number of men in accordance with the compensation clauses, the incomes of those remaining are at the same rate as their present incomes, the shares of those particular boats that are left would remain the same, would they not?—Yes.

4718. Then it would be necessary, according to that view, to reduce in the same ratio the number of boats as well as the number of pilots?—I have not calculated what effect that would have.

4719. It seems to me that your proposition involves the purchase by the Government of the whole of the goodwill now existing; you are taking this opportunity of asking the Government to sweep away the dead weight which now exists upon the pilots and the trade of Liverpool; is that the effect of your proposition?—That is the effect of the proposition if the system is to be disturbed at all.

4720. Do you think that system of paying a goodwill for the boats is a good one?—I do not call it a goodwill. I think it is the natural operation which occurs in the case of every description of property, that the price rises according to the interest paid upon it.

4721. Does not that excessive price depend upon the Liverpool Pilotage Act, which defines the proportions which shall go to the boat; is not it the reason for the increased value of the boat?—I do not think the increase is so extravagant when it comes to be understood, as appears on the face of it; when you consider that they have paid 56,000 *l.* for the boats; what you are pleased to call good will, but what the Act calls "such a sum for the privileges of the boat, as in the opinion of the board they shall think advisable;" I do not think it is so very extravagant.

4722. We have heard in evidence that the actual value of the boats is 28,000 *l.*, and that their market value is 90,000 *l.*; what is the difference; is it goodwill, or privilege, or what?—It is 55,000 *l.* that the boats cost.

4723. £. 90,000 *l.* you told us?—The actual sum paid on the boats is 55,900 *l.*

4724. We are told that the actual present value of the boats is only 28,000 *l.*?—The present 12 boats cost 28,960 *l.*; that is the actual cost; but the pilots have paid since 1824, 55,960 *l.* for the boats.

4725. How have they paid it?—They built 11 boats in 1824, 10 boats intermediately, and 12 boats since.

4726. If you take the present boats according to their market value, they would not fetch more than 28,000 *l.* intrinsically?—Not so much.

4727. The difference between that and 90,000 *l.* is a fictitious value, is it not?—No, I must beg leave to differ with you; it is not a fictitious value if it has actually been paid for it.

4728. It does not represent any existing property; it represents goodwill?—It represents the property which has been built up since the Act of 1824.

4729. But which no longer exists. You have got the actual value of the vessels, which is 28,000 *l.*, and you have the market value of the shares, which is 90,000 *l.*, and the difference between those two prices seems to me to be the fictitious value; the goodwill, or privilege, or whatever you may call it?—I can admit the full extent of your argument, if the present owners of shares had only given 28,960 *l.* for their shares, then it is quite true that the goodwill would raise it from 28,000 *l.* to 92,000 *l.*

4730. It does not alter the argument, because they paid that value for somebody else's goodwill?

will?—For instance, a public company in our own town bought exchange buildings where the original shares were 100 *l.* each, and they were, I think, sold for 480 *l.* each.

4731. But that represents existing property? —It rather represents an increased rate of interest, differing from the old rate of 5 per cent.; when they were paying 10, 11, and 12 per cent., the price of shares naturally rose.

4732. You told us that the price of the shares of the vessels varies from time to time; sometimes it is higher and sometimes lower?—It varies according to the age of the boat; if the boat has run 10, or 12, or 14 years, she will not sell for so much by 10 *l.* or 15 *l.* a share, because the man who buys knows that he will have to subscribe 20 *l.* or 30 *l.* in a few years to build a new boat.

4733. There is another element surely; the increase through the rise or fall of goodwill depends upon the employment of the pilots; is not that so?—I think that has very little operation upon it.

4734. I think you told us that a few years ago the shares were worth 148 *l.*?—In 1852 a share was sold for 145 *l.*; not generally; in No. 7 a share sold for that sum.

4735. What is the last price that has been given for shares in these boats?—£.118.

4736. Is that the last sale?—I believe so.

4737. At all events you will not dispute this, that the effect of your proposition would be to throw upon the Government the expense of compensating the full difference between 28,000 *l.* and 92,000 *l.*?—Yes.

4738. And, therefore, sweeping away what I may call the incubus, or privilege, or goodwill, which now hangs over the boats?—That I conceive to be the only just mode of recouping the sums of money they have paid.

4739. And immediately after the operation, the goodwill would return again, because it depends upon the proportion of the earnings which goes to the boats; as soon as the operation is complete, the boats would at once have another value of the same kind; would not that be so?—No; because the whole system of boat-ownery would then be open. At present, under the Act of Parliament, the building of a boat, or the putting of a boat on the station, is confined to the pilotage authorities. There used to be 11 boats; in the year 1832 they put on the twelfth. They have not increased the number of boats since, but probably if the system were thrown open, other boats would be put upon our river, as they do upon other rivers.

4740. You would take that opportunity of throwing it open, and allowing anybody to put on a boat?—That would be the natural effect of it.

4741. I want to get to what you contemplate should be done; if this Bill becomes law, you think the Government should take the opportunity of buying up all the difference between the actual value of the vessels and their market value?—I did not say "that I think the Government should take the opportunity of doing so;" I say, if the Government think it of imperial necessity to alter the system of compulsory pilotage, they must place the pilots who have expended their money upon the faith of the Act of Parliament, in the same position they were in before by recouping the sums of money they have expended.

4742. And to the full extent of the difference between 28,000 *l.*, the value of the vessels, and the 90,000 *l.*, the market value of the vessels?—Or by buying them out entirely.

4743. Mr. *Cave.*] Should you call that increased value a purchase of the income to be made by the boats?—That increased value is the actual sum now paid; of course that sum has increased, as I said before, from 56,000 *l.* to 92,000 *l.*, by reason of the dividing of the 11 and 12½ per cent.; they have divided all their earnings, and not set aside anything for depreciation.

4744. It is a purchase of the income, just as much as the value of shares in a gas company is a purchase of the dividends paid?—Yes.

4745. So that it does not depend only upon the boats, but all the increased value depends upon the means of making that income?—Just so.

4746. *Chairman.*] Supposing, after a year or two years from the passing of the Bill it turned out that the incomes of the pilots were not really reduced, would there then be any necessity in your view for purchasing this goodwill?—If there was no diminution nobody would be damnified.

4747. Mr. *Cave.*] And the shares would remain at the same price?—The shares would remain at the same price because the same income would be derived.

4748. But if the reduction was very general, your reduction would involve the purchase by the Government of the whole of the 60,000 *l.*?—It would involve the payment of the difference between the intrinsic value and the sums they had paid for them.

4749. Not the then value of the shares in the market?—No; the value of the shares in the market at the time of the "disturbance" by the passing of the Act, because the operation of the Act must of necessity diminish the value of the shares.

4750. Mr. *Gourley.*] In coming to the actual value of the ships, should not you take into account the actual sum which you have paid, and which ought to have gone to the depreciation fund?—Whenever a new boat was required they always built it out of their own pocket; whenever the Board think that a boat is insufficient for the service the Board orders the owners of the boat to build a new boat, and they would withdraw the license from the old boat if they did not build another in its place.

4751. They would build a new boat and pay a sum of money in addition?—Each shareholder, according to the number of shares he holds, must contribute an aliquot proportion to the new boat; it does not increase the value of the shares a shilling; assume a share to be worth 120 *l.* in the old boat, it would not be increased in value according to the amount paid for the new boat.

4752. Mr. *Cave.*] It would increase the value, to some extent, would it not?—When the boat is an old one, the value of the shares is diminished, because they must have a new one in a short time, and they will have to put their hands in their own pockets to build a new one; but when the new boat is placed upon the station it does not add to the value of the shares.

4753. Would not it add to the selling price, because they would know it would be a long time before they would have to build another?—It would not add so much as the old boat diminishes it.

4754. *Chairman.*] Are you aware that the

Mr. *H. Brenner.*

6 May 1870.

Merchant Shipping Act of 1854 throws upon coasting passenger steamers the obligation to carry pilots?—Yes.

4755. That has never been enforced by the pilotage authorities of Liverpool, has it?—It has not; I should like to correct a mistake Mr. Simpson made this morning. He said that 1,800*l.* was the sum paid. I have got the actual sum that the coasting steamers paid last year, which is 1,492*l.* 15*s.* 6*d.*

4756. Can you state how many steamers have paid that?—No; I can only give the names of the firms who have paid it.

4757. Can you say in respect of how many steamers it has been paid?—No.

4758. I suppose it relates to all the steamers running from Liverpool to Ireland and Scotland, and other parts in England?—It is all confined to 12 months.

4759. And in consideration of that payment the pilotage authorities have never compelled these steamers to carry pilots?—The Order in Council was made under the authority of Mr. Cardwell's Act of 1853; that was before the present pilotage authority came into operation, which was in 1859, and they have never sought to disturb the Order in Council.

4760. That Order in Council was made in 1853, before the Merchant Shipping Act was passed?—Before the Merchant Shipping Act was passed in 1854.

4761. And section 354 of the Merchant Shipping Act imposed upon those vessels the liability to carry pilots, but it has never been carried out, and they have not been compelled to carry pilots by the pilotage authorities?—No.

4762. And they carry out the old arrangement of 1*s.* per foot?—One shilling per foot if they do not take a pilot, and 4*s.* inwards and 2*s.* outwards if they do take a pilot, which they sometimes do.

4763. But as a rule, they do not take pilots?—No; they do not as a rule.

4764. I presume I may take it that the pilotage authorities of Liverpool do not think it necessary, in the interests and safety of life, to compel these vessels to carry pilots?—I am not their adviser.

4765. Is it your opinion that these vessels ought to carry pilots?—I think they ought.

4766. Have you heard of any losses occurring from not carrying pilots?—I have only Admiral Evans's report, showing the large number of casualties to vessels which had not pilots coming into the port last year. He says that they are principally small craft; there was only one casualty with a vessel that had a pilot.

4767. Are you aware that there have been very few casualties in the case of coasting steamers, which are exempt under this bye-law?—I believe there are very few.

4768. Notwithstanding that, you would compel them to carry pilots?—Yes, I would; more especially as that 354th section is still in operation.

4769. You think they ought to be compelled to carry pilots?—Passenger steamers ought.

4770. It has not been the habit of the Liverpool people to compel these vessels to do so, though the law is there, and they could be compelled to do so?—My opinion is that the primary object of pilotage is to save life.

4771. The obligation to carry pilots has never been enforced upon these passenger steamers?—Not since January 1854.

4772. Nobody in Liverpool has forced these vessels to carry pilots?—Nobody; I must say that the obligation in 1854 was forced upon the pilots.

4773. By whom?—By the steam shipping trade.

4774. Mr. *Graves.*] In answer to the Chairman you gave some qualified approval of the possibility of doing with three boats less, in the event of the trade falling off; have you consulted any of the nautical authorities, or the pilots themselves, with reference to the possibility of maintaining the station system with less boats than you have at present?—I have not; and as I said, in answer to the question put by the honourable Chairman, it was a point which the pilotage authorities would have to determine, whether they could do with fewer boats or fewer pilots.

Tuesday, 10th May 1870.

MEMBERS PRESENT:

Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. J. S. Hardy.
Sir. John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. William Philip Price.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. Angus Turner, called in; and Examined.

Mr. *A. Turner.*
10 May 1870.

4775. Mr. *Malcolm.*] You are the Town Clerk of Glasgow?—I am.

4776. And one of Her Majesty's Justices of the Peace for Lanark?—Yes, and Perthshire; I am magistrate of both counties.

4777. I believe you are also Parliamentary Secretary to the Trustees of the Clyde Navigation and other Municipal Boards?—Yes.

4778. Including the Pilot Board?—Yes.

4779. How long have you held that office?—I have held that office from 30 to 40 years altogether; I have been through the different grades of the office; I have been principal town clerk for the last 10 or 11 years.

4780. I believe you are well acquainted with the Acts under which the Pilot Board was established?—Yes.

4781. And you had something to do with them?—They were almost all passed under my official charge; there were 10 Clyde Navigation Acts, and I had the charge of the passing of the whole of those Acts through Parliament.

4782. I believe in the first instance the pilotage of the River Clyde was not compulsory; what was the reason that it was made compulsory?—There was no pilotage on the River Clyde prior to 1825; many accidents occurred both to person and property before 1825, a great number of which came under my cognizance as legal assessor to the Admiralty Court; they were very numerous indeed in the River Clyde before a system of pilotage existed there at all. In 1825, being secretary to the Clyde Navigation Trustees, I suggested to the trustees that, in order to remedy that state of things, a system of pilotage should be established by Act of Parliament. After fully considering the question, the trustees thought it expedient, and we brought a Bill into Parliament, by which the pilotage was for the first time established in the Clyde. I will, if you allow me, read the clause in the Act establishing the first board of pilotage; the 57th section of the Act of 1825 is to the following effect: "Be it further enacted, that the Lord Provost, and the eldest merchant, baillie of the City of Glasgow, the dean of guild of the said City, the deacon convenor of the trades of the said City, the baillie of the River and Frith of Clyde the two baillies of Greenock, and the two baillies of Port Glasgow and Newark, with five merchants interested in the shipping and in the navigation of the said river and frith, whom the said trustees are hereby authorised and required annually to nominate, and appoint, during the month of October (any three of the said persons to be a quorum), shall have full power and authority, from and after the passing of this Act, and from time to time as occasion may require, to license pilots employed in the navigation of vessels on the River and Frith of Clyde, trading to and from the harbour of the Broomielaw, after due inquiry into the experience, skill, and general qualifications of the said persons, and to make rules and bye-laws for ascertaining and regulating the fares, and wages, conduct, and behaviour of the said pilots, and to enforce observance of the said rules and bye-laws by such pecuniary penalties as may be necessary for that purpose, besides deprivation, temporary or permanent, as the case may require, of the said persons, respectively, of their licenses, and the said magistrates, or any one of them, are hereby authorised and empowered to inflict such deprivation of office by recalling the said licenses, and publishing the names of the persons so deprived, and to award the said pecuniary penalties with an alternative judgment, in case the said penalties, or any of them, should not be sooner paid, of imprisonment within the gaol or bridewell of Glasgow, for any space not exceeding 60 days; the said penalties to be applied as the said magistrates shall direct; provided always, that the said rules and bye-laws shall not be repugnant to, or inconsistent with, the laws of Scotland and the provisions of this Act; and printed copies of the said rules and bye-laws shall be furnished to the said pilots along with their licenses, and shall be put up in conspicuous places in the chambers of the baillie of the River and Frith of Clyde, and of the harbour-master of the Broomielaw, and also in the offices of the collectors of the said river and harbour duties; and shall, when effaced and obliterated, be constantly reprinted or renewed, and that none of the said pecuniary penalties shall exceed the sum of 5*l.* sterling for each offence." That is a very long section.

4783. Was any regulation passed by the Pilotage Board in consequence of that power?—Yes.

4784. Have

Mr. *A. Turner.*

10 May 1870.

4784. Have you got it there?—Yes, I have it here; it is a very short regulation; it is dated the 22nd of December 1826; it was after the passing of the Act of 1825. The regulation is to this effect: "That no person shall presume to act as a pilot on board of any vessel navigating the River and Frith of Clyde, and trading to the harbour of the Broomielaw without being regularly licensed by the board established under the aforesaid Act of Parliament; nor shall the pilots, licensed by the said board, be entitled to exact any higher rate of pilotage than is authorised by the annexed table; and every person contravening or offending any part of this regulation shall be liable in a penalty not exceeding 5*l.*, besides all damages and expenses."

4785. In consequence of that regulation, I believe you found that the state of the river was very much improved, and that there were fewer accidents?—Yes, it was incomparably improved.

4786. I believe, in 1858, the trustees had to come for further powers?—They had to consolidate the Clyde Navigation Acts, and, amongst other things, was the question of the pilotage authorities.

4787. Under that Act, if I recollect rightly, the two pilot boards which now exist were consolidated?—Yes. Before the passing of that Act there were two boards existing, one having its domicile at Greenock and the other at Glasgow. The Board at Greenock licensed pilots for what are called deep-sea pilots, pilots not coming up the narrow estuary of the Clyde, but proceeding seaward; there was another board, established at Glasgow, confined to the compulsory waters of the Clyde, the narrow and tortuous and difficult navigation of the river; and this Board licensed all pilots within these compulsory waters respectively; but as the two classes of pilots frequently got into conflict, it was found desirable to consider whether the two boards could not be united, in order to give better harmony of action in the licensing and in the conduct of the pilots. The Bill was much opposed in Parliament by a variety of interests, by the people of Greenock, and by the traders upon the river, the steamboat traders, and by a class of small shipowners who were desirous of getting an exemption in favour of vessels under 60 tons burden. We proposed that there should be no distinction in reference to the class of vessels; that they should all be required to have pilots on board; but I daresay it is familiar to every Member of this Committee that sometimes the desire of parties is not carried out, and it often becomes a question of compromise and arrangement. The Bill went before a Committee of Parliament; and the opponents of that measure united together and they each aided one another; the people of Greenock aided the small shipowners, and the shipowners aided the people of Greenock; we were obliged to make the most of the matter; and after a very lengthened discussion before a Committee, of which Sir John Bulwer was Chairman, and on which Mr. Arthur Mills and Mr. Garnett, all three experienced Members of Parliament, sat; after a long discussion, and examination of witnesses before the Committee, they established a code of regulations, which are embodied in the Act of 1858. If the Committee wish to refer to them I have the Act here; it is now the existing law with reference to pilotage, having been established in that deliberate manner I have been describing.

4788. I believe after that, the united boards passed bye-laws and regulations?—Yes; would it not be desirable to place upon the minutes the sections of the Acts containing this code of regulations, because it may be important afterwards by way of reference. The sections of the Act commence with the 128th section, and they finish with the 134th section of the Act of 1858: "And whereas it is expedient that only one authority should exist for licensing pilots for the safe conduct and navigation of vessels in the River and Firth of Clyde: Be it enacted, that from and after the 1st day of January 1859, the board (herein called the Pilot Board) for licensing pilots for navigating vessels plying in the River and Firth of Clyde within a straight line due east and west from the southernmost point of the island of Little Cumbrae, shall consist of 16 members, videlicit, eight members to be chosen by the trustees acting under this Act in the month of November next, and in the month of November in each succeeding year, of whom the Lord Provost of Glasgow for the time being shall be one; five members to be chosen by the trustees of the Harbour of Greenock, in the month of November next, and in the month of November in each succeeding year, of whom the Lord Provost of Greenock for the time being shall be one; and the provosts of Port Glasgow, Dumbarton, and Rothesay respectively for the time being; and the said Pilot Board shall be a pilotage authority within the meaning of the 'Merchant Shipping Act, 1854,' and all the powers by that Act conferred on pilotage authorities shall be vested in the Board for the purposes of this Act. The first annual general meeting of the pilot board shall be held at Glasgow, in the month of January 1859, and the next annual general meeting of the board shall be held at Greenock, in the month of January 1860; and the annual general meetings of the board shall be held thereafter in the month of January, at Glasgow and Greenock, in alternate years. Special meetings of the Pilot Board may be called by the chairman of the board for the time being, at such times and places as he may think fit, or on a requisition in writing, addressed to the chairman of the board for the time being, signed by any three members of the board, and stating the object of the meeting, and on the receipt of such requisition the chairman shall convene such special meeting by a circular, addressed to each member of the board, stating the time and place of such meeting, and containing a copy of such requisition, which circular shall be delivered or transmitted by post to each member, at least seven days previous to each special meeting. The members of the Pilot Board shall be called to attend all general meetings, and all special meetings called by the chairman of the board, for the time being, by printed or written notices, stating the time and place of meeting which shall be delivered or transmitted by post to each member, at least seven days' previous to such meetings. The Lord Provost of Glasgow, for the time being, shall be chairman of the Pilot Board for the years in which the annual general meetings are held at Glasgow; and the Provost of Greenock, for the time being, shall be a chairman of the board for the years in which the annual general meetings are held at Greenock; and the chairman, if present, shall preside at all meetings

meetings of the board, or in his absence, a member of the board to be chosen at any such meeting, shall act as chairman. At all meetings of the Pilot Board five members shall form a quorum; and the chairman of every meeting shall, in the event of an equality of votes, have a casting vote in addition to his deliberate vote. The Pilot Board shall have the exclusive right and privilege of licensing pilots for the navigation of vessels in the river and Firth of Clyde, within the said limits; and it shall be lawful for the board from time to time to make such bye-laws and regulations as they shall think fit, for fixing and regulating the wages and allowances for pilotage to be received or exacted by the pilots already licensed for the said river and firth, or by the pilots to be licensed by the board, and also for regulating the behaviour and conduct of such pilots, and providing a suitable superannuation fund for the support of aged or disabled pilots, their wives and families; and to enforce the observance of such bye-laws and regulations by the imposition of pecuniary penalties, not exceeding 5 *l.* for each offence, or by suspension or deprivation of license or otherwise, as to the board may appear expedient." Any Member who chooses to look at the provisions of the Act, will see how carefully the Committee considered the whole question.

4789. In consequence of that, the board of the Clyde Trustees and the Pilotage Board together made bye-laws?—Yes, which are now the present bye-laws. Here are some clauses, which the Committee may wish to see, the 18th and following clauses of the bye-laws. They are rather important clauses with reference to this inquiry. The 18th clause is with reference to the two classes of licenses; the class of license applicable to deep-sea pilots, and the class of license applicable to the compulsory waters' pilots. That is really a matter which the Committee may wish to have. They are as follows: "The pilots licensed by the board shall consist of two classes, namely, river pilots licensed to pilot vessels between Glasgow and Greenock; and deep-sea pilots licensed to pilot vessels between Greenock and the Island of Little Cumbrae, including vessels proceeding outwards from Port Glasgow, or inwards to Port Glasgow; and these classes shall not be altered, except by the authority of two-thirds of the members of the board present; provided that, in the case of steamers making trial trips to adjust their compasses, or for other such casual purposes, the owners or persons in charge of such steamers shall be entitled to take either river pilots or, when going from Port Glasgow or Greenock, deep-sea pilots in their option. No person shall presume to navigate or to act in piloting any ship or vessel whatever, exceeding 60 tons register, on any part of the River Clyde, other than the river pilots duly licensed by the board, under a penalty not exceeding 5 *l.* for each offence, besides all damages and expenses. The masters or mates of stated or regular traders and steamers regularly frequenting the Harbour of Glasgow, shall respectively, upon application to the board, receive a pilotage certificate under the Merchant Shipping Act, if found qualified to conduct such regular or stated vessels and steamers; but it shall not be lawful for such mates or master to take charge of any other vessel whatever; the sum of one guinea being always payable for such certificate towards the pilot fund, after mentioned, besides the clerk's fee of 5 *s.* No person shall hereafter be licensed as a pilot for the first time who is above 40 years of age, or who has not previously acted as such under the board, or who has not been, for the period of at least seven years, actively employed as a seafaring man, and who has not for three years of that period, sailed in a square-rigged vessel. Any license or certificate granted or renewed by the board, may be either temporarily or permanently withdrawn, and all licenses and certificates issued by the board, shall be granted up to and including the 31st day of January next ensuing after the date of license, unless the board shall otherwise see cause to withdraw or suspend such license. Every pilot licensed by the board shall find sufficient caution to the extent of 20 *l.* for his proper conduct and behaviour, and his strict compliance with the present and any other regulations enacted or to be enacted by the board, which sum shall be applicable to payment of loss or damage occasioned by the misconduct of the pilot; and he shall further be held personally responsible for all damages and expenses that may be incurred, and he shall not be entitled to act as pilot until he has found such caution. The pilotage exigible by the respective river pilots shall, in the case of inward-bound vessels, be payable to the collector of tonnage duties at Glasgow, along with the river and harbour rates and duties, by the master or person in charge of the vessel, on arriving at the harbour of Glasgow, upon the production by the pilot who may have had charge of the vessel, of a certificate, signed by the master of the ship, stating the draught of water, and that the pilot had conducted the vessel to the harbour; and in the case of outward-bound vessels, the pilotage shall be paid in advance to the collector of the said duties, along with the harbour and river rates and duties outwards, upon a certificate by the master stating the draught of water; and the treasurer of the board shall, upon proof in each case that the pilot had properly and satisfactorily performed his duties, pay over to him all such sum or sums of money as shall have been paid to or received by him as aforesaid, under deduction of the poundage after mentioned."

Mr. *A. Turner.*
10 May 1870.

4790. How do the boards now grant licenses to the compulsory pilots?—The united boards meet, and they appoint a committee of examiners. The examiners are chiefly retired shipmasters or owners of vessels; they are all men of practical experience, with reference to the qualifications necessary for pilots; they are selected with that view from amongst the board, and they are men who are cognisant of all these questions.

4791. *Chairman.*] In fact, you appoint the Examiners?—Yes; but they are qualified Examiners; they appoint the two committees of examiners, the one committee sits in Greenock, and the other in Glasgow. The Glasgow committee license all the compulsory pilots in compulsory waters, and the Greenock committee license all the deep-sea pilots.

4792. Mr. *Gourley.*] Deep-sea pilots are non-compulsory pilots, are they not?—Yes.

4793. Still they are licensed?—Yes; still they are licensed.

4794. Mr. *Malcolm.*] Do you think that that system could be improved as far as regards the narrow waters of the Clyde?—I think if the board are left alone it can be improved, and the best

Mr. *A. Turner.*
10 May 1870.

best proof of that is their past conduct; they have improved the system enormously; they have a peculiar knowledge as they are all engaged in shipping themselves, and if the shoe pinches at all it pinches the members of that board; and they being on the spot, and knowing the necessities of the case, they certainly, I think, are a very proper tribunal to make such improvements as may be desired; it has been suggested more than once since the passing of the Act of 1858, that the trade of the Clyde has so increased—probably there is no part of the kingdom where the increase has been so great from the enormous number of steam and other ships building in the Clyde, and the immense increase in the traffic. As a proof of that, I myself, in this Session of Parliament, have the charge of a Bill which is passing through the other House of Parliament to expend the sum of a million and a half sterling in docks for Glasgow because the ships are now lying in the harbour, in some instances from three to five deep, and consequently the mere loss in demurrage to the country is more than the whole rates leviable by the Clyde Trustees. Therefore the increase of the traffic is so great that it becomes now a question of how far those pilot regulations should not be amended, with the view of placing every description of vessel, in so crowded and narrow a river, and so tortuous in its character, under compulsory pilotage.

4795. In 1863, I think, the trustees obtained a Provisional Order from the Board of Trade exempting vessels between 60 and 100 tons from compulsory pilotage?—Yes; they did that in a very peculiar way. The manager of the Clyde reported that there was a competition existing with reference to minerals between the railway company and the River Clyde, and with the view of aiding the Clyde portion of the competition, he wished to make the pilotage as light as possible; and as that class of minerals were carried in vessels under 100 tons burden, he proposed that there should be a Provisional Order obtained from the Board of Trade to exempt vessels under 100 tons burden from pilotage, provided the tug vessel in charge of them took a compulsory pilotage license; that Order was passed, and it has proved a dead letter; it has never been acted upon; probably that may have arisen from the competition having ceased between the two parties, but in point of fact it is a dead letter. However, it proves one thing, that when pilotage is left to itself persons who have the power of taking a license, or not taking it, do not avail themselves of it. The owners of these tug steamers could have navigated their vessels free from compulsory pilotage, or they might take compulsory pilots if they chose; they have not availed themselves of the relaxation of the law, and they have taken no pilots, being under 60 tons burden.

4796. *Chairman.*] Who complains of their not taking pilots; I thought you said complaints were made of their not taking pilots?—Complaints are made of their not taking pilots.

4797. Who made the complaints?—Really I cannot give the names of the parties.

4798. What class of persons made the complaints?—The persons interested in the trade; I know nothing of it beyond that; it comes from parties engaged in the trade.

4799. Mr. *Gourley.*] I suppose the masters of tugs are better pilots than the ordinary pilots?—No; the tugs are now conducted practically by the pilots on board the large ships that are tugged; the latter have compulsory pilots on board.

4800. Mr. *Malcolm.*] And the tugs are practically under their direction?—Yes.

4801. I suppose you have the means of ascertaining in Glasgow by common reports and by conversation the general feeling of the shipowners and others with regard to this proposition?—Yes; I have heard it very frequently discussed.

4802. And it is not in favour of this Bill, is it?—They are very hostile to it indeed; almost every man largely engaged in shipping says that it will totally disorganise the pilot system which has prevailed in the Clyde for the last 30 years; in fact, that it will throw open the river, and force us back to the position of things in 1825, when they picked up persons from the quays; persons totally disqualified to be pilots; they took the assistance of these persons instead of taking a duly qualified pilot, to whom they would be obliged to pay a proper pilotage rate; they say that if this Bill passes we shall be retrograding, and going back to the state of things which existed in 1825.

4803. It was in consequence of doing that, that compulsory pilotage was originally introduced?—Yes.

4804. Mr. *Norwood.*] You said just now that your pilotage regulations could be very much improved?—I think they could be in that respect; I think they ought to extend the system of pilotage to every description of vessel above 30 tons burden.

4805. It is not so much an improvement as a destruction of the exemptions?—Yes; a destruction of the exemptions, because it has now become necessary from the immense increase in the trade, and the traffic being so enormous, that without you make it applicable to the smaller class of vessels between 30 and 60 tons, you really disorganise the police and good government of the river.

4806. You do not propose to interfere with the pilotage below Greenock?—No.

4807. You think it is right that it should be non-compulsory?—Yes; in the open sea it is not necessary, it is only in a contracted channel like the Clyde, where there is an immense number of vessels passing up and down; it is just as necessary as the police of a town in coming and going with safety through a town; the pilots form a staff of police or pilotage officers to conduct safely the navigation of all descriptions of ships, and that is not left at the discretion of individual shipowners more than the peace of a town is left at the discretion of offenders against the peace of the town; the object is to get a good system of pilotage police in the river.

4808. Is there any complaint made by the small shipowners as to the charge?—I never heard any complaint; it has never reached me; I understand that the pilotage in the Clyde is less than in any river in the kingdom.

4809. Are there any complaints as to the manner in which the pilotage service is performed in the compulsory waters?—I never heard of it; I have heard a complaint of this kind, that the persons who hold masters' and mates' certificates as contrasted with those who use compulsory pilots, complain that they are not placed on an equality; they think that a man who has a compulsory pilot

pilot on board should not receive an immunity from all risk and damage.

4810. That is a question of a shipowner's liability?—Yes; that is the only complaint I have ever heard.

4811. Do very large vessels go up to Glasgow sometimes?—Yes; vessels of 3,000 tons burthen.

4812. And that is increasing?—Yes; there is not a portion of the kingdom that has increased so rapidly.

4813. Greenock and the port of Glasgow are not increasing in proportion to Glasgow?—No; Glasgow is increasing a hundredfold beyond any other place in Scotland.

4814. Are you quite satisfied that the feeling of Glasgow is in favour of the present state of things?—I am satisfied it is, and I think the authorities of Glasgow will be actually shocked if the present state of things is altered.

4815. Do you think it is a rather difficult navigation up to Glasgow; is it not a broad ditch, and if you keep in the centre of the stream you will be all right?—You will find from the pilots and the nautical men, who will be examined, that it is not a ditch in the sense you have put it; it is a most tortuous and difficult navigation, depending upon wind, weather, land-floods, and tide, the knowledge of which can only be obtained by men who have been properly brought up and schooled into the system.

4816. You mean that a knowledge of the winds can only be known by men brought up to it?—These affect the state of the time when the vessel has to start.

4817. That depends upon the state of the tide?—Yes.

4818. That can be ascertained by a non-pilot?—I do not know that it can.

4819. Are there not publications which show the state of the tide in the Clyde waters every day throughout the year?—I do not see that an Irishman coming over from Belfast, or any other part of Ireland, can form any idea of the tide in such a river, nor is he capable of considering the effect of the winds in different portions of the river; that is a thing of education; they must get practised to it.

4820. Is it not the case that from Glasgow, one-half the way down to Port Glasgow, there is a channel of from 100 feet to 150 feet in width?—Yes.

4821. With 12 feet at low-water?—Yes.

4822. If a vessel comes in the centre of the channel she is safe enough, is she not?—You will find by the examination of some of the practical men who are to follow me, that the navigable channel does not exceed 80 feet; that is, for a certain description of ships.

4823. That is the narrowest portion of the channel, is it not?—I do not know the portion of the channel, but this is the deep channel of the Clyde, and portions of it do not exceed 80 feet in width; any man who knows the size of the large vessels that navigate the Clyde, some of them drawing 21 feet of water, and of 3,000 tons burden, must be aware that supposing two ships of that tonnage to meet in this narrow channel, they can scarcely pass; then, supposing three or four of these passenger steamers (there are 32 of them sailing every day from the Broomielaw) come about the same period, when the large ships are passing in this narrow estuary; in that case the channel would be completely blocked up.

4824. You are going to bring some nautical evidence, are you not?—Yes.

4825. Mr. *Price.*] I understand that the navigation of the Clyde is under the jurisdiction of a body of trustees or commissioners?—Yes, they are chiefly the persons who pay rates upon the river.

4826. It is a public commission?—Yes, there is no private interest in it.

4827. And no dividend whatever?—No.

4828. The trustees are the commissioners to protect the public interest?—Yes.

4829. The navigation of the Clyde is pretty much the canal navigation of a river, is it not?—No, I do not think so; it is so much influenced by the tidal flow and great land-floods that it requires a great deal of knowledge of the effect of floods upon the particular sinuosities of the river, and the effects of the tide upon the bends and sinuosities of the embankments are such that you cannot compare it to a canal or ditch or anything of that description; it is a very peculiarly flowing river to persons not acquainted with it.

4830. But still it is an artificial navigation, is it not?—To some extent; it has been more improved than probably any river in the world.

4831. Trustees have exercised their power to make considerable alterations and improvements in it, have they not?—Yes, they have from time to time.

4832. They may, in point of fact, make a new channel, and alter the course of the existing channel, may they not?—They cannot do that beyond their Parliamentary powers.

4833. I understand that they have very large powers?—They have very large powers within their plans of improvement.

4834. Therefore the navigation, at all events, must be considered to be essentially an artificial navigation?—Yes.

4835. Under the control of public trustees, having power to alter and vary the works from time to time?—Yes.

4836. I understand you to say that, in your case, they are policemen, in point of fact, who guard the river and the harbour?—They very much partake of that character.

4837. I believe they are appointed as much for the protection of your works as they are for the protection of the shipping, or the lives of passengers and the safety of the goods carried by vessels?—It is for those combined purposes that they are appointed. They are a body of men who are never licensed above 40 years of age, and they are generally men selected for very high nautical qualifications. They really form the most useful advisers and police that can possibly be imagined for the shipping of so crowded a river as the Clyde; they are watching every interest connected with the navigation, and they protect every interest. If a foreign ship comes they are there at hand to direct and advise the master; if it is a home ship which they know is not well managed, they are watchful and apprehensive for the interests of the navigation. I think it is one of the most valuable institutions connected with Glasgow. I should say, from my long experience in public office, that I do not know a single institution connected with the trade of the country more important than the pilotage of Glasgow.

4838. Assuming that the system is as perfect as you imagine it to be, and satisfactory to the people of Glasgow and Greenock, do you think it

Mr. *A. Turner.*

10 May 1870.

is at all analogous to the ocean pilotage?—No, I do not think it at all analogous; I think there is no necessity for compulsory pilotage in the open ocean; it is the physical peculiarities of this river that make compulsory pilotage necessary.

4839. The Clyde, you think, is one of the exceptions which prove the case of the Bill. You say that you believe there is no occasion for compulsory pilotage in the open ocean, but you think it is necessary in the Clyde, because the Clyde is a purely exceptional case?—Yes, it is purely an exceptional case.

4840. Do you imagine that if pilotage were voluntary and free, that is, non-compulsory upon the Clyde, many ships would attempt the passage of the river without a pilot?—I think the cupidity of shipowners is so great that they would not care a farthing for their neighbours; they would look at the saving of a few pounds, and they would throw the navigation of the river back to what it was in 1825, when there was a crying necessity for compulsory pilotage.

4841. I suppose there is no mode by which a shipowner can know what changes may have taken place in the navigation of the River Clyde between one voyage and another; you may have effected great alterations in the river in that time, and the shipowner would have no knowledge of those changes?—That is a remarkably practical view of the case.

4842. That does not take place to the same extent in the open sea?—No; there is machinery for deepening the Clyde, diving-bells and dredging-machines. I do not think there is anything in the world, to the same extent, that there is upon the Clyde; therefore, the navigable channel is from day to day altering, and it requires these pilot police to be constantly upon the spot to watch and observe the alterations that are from time to time taking place in the navigable channel.

4843. Mr. *Gourley.*] It is always altered for the better and not for the worse? — Yes, if the channel is altered.

4844. Mr. *Grieve.*] Was there a meeting of the Pilot Board of Glasgow in March last?—I cannot recollect the date. I do not generally attend at the meetings.

4845. Was there not a petition to the House of Commons against this Bill, dated March?—Yes. I attended at that meeting.

4846. There was a meeting in March, was there not?—I cannot give the month.

4847. Are you not secretary to the board?—Yes, but I do not always attend at the meetings.

4848. Was there a petition adopted at that meeting?—Yes, and I was present.

4849. Does the board sit alternately in Glasgow and Greenock?—Yes.

4850. Where does it sit this year?—In Greenock.

4851. Does not it appear very extraordinary to you that a meeting of the Pilot Board should have been held in Glasgow, when the board sat from the 1st of January in Greenock?—If you remember that there are two executive committees, one applicable to Greenock and the other applicable to Glasgow, that will explain it. The Pilot Board confers upon the respective executive committees full power to do everything in the interests of the respective ports, and the executive committee of Glasgow improvised the petition.

4852. I am quite aware that there are two distinct committees; but at that meeting, was not the petition signed by the Lord Provost as chairman of the board?—Yes.

4853. Was the Lord Provost the chairman of the executive committee?—I think he is.

4854. Is not Mr. James Allen the chairman?—I do not remember that he is.

4855. After 30 years' experience as town clerk of Glasgow, you should surely be quite up in these matters?—I am quite up in them, but I do not attend all the meetings, nor am I acquainted with some of these details.

4856. Would not it have been more regular to have called a meeting in Greenock of the entire board?—It would not have been more regular; but if you think there was a want of courtesy to the people of Greenock, I can answer you that it was far from that; there was no want of courtesy to any party.

4857. Are you aware that Mr. Allen is chairman of the committee?—No.

4858. Mr. *Gourley.*] You have said that the navigation of the Clyde is very trying; in what way is it trying, and what are the difficulties of navigation in compulsory pilotage waters?—I am not qualified to give a nautical opinion upon that, but there are gentlemen who will be examined who can give practical cases, arising in their own experience.

4859. You simply speak from theory?—Not altogether from theory, but from hearing people talk of it who are cognisant with these questions, and I am not; I am not cognisant with navigation questions.

4860. You do not speak from practical knowledge?—No; I have no nautical knowledge whatever.

4861. *Chairman.*] Did I understand you to say that there are no exemptions in the pilotage of the Clyde itself?—Yes, there is, for all vessels under 60 tons.

4862. Not above that?—No, except that special case of the provisional order, which would extend to 100 tons.

4863. Are the steam tugs compelled to carry pilots?—They do not usually take pilots.

4864. Are they compelled to do so or not?—No, they are not compelled, except they carry passengers; if they carry passengers they are compelled to carry pilots; but if they do not carry passengers, they are not. These tugs are, in point of fact, navigated by pilots on board the vessels that they tug; the latter have all compulsory pilotage certificates.

4865. A vessel that is being tugged is bound to carry a pilot, but the tug itself is not bound to carry a pilot; is that so?—That is so.

4866. When a tug comes up, or goes down alone, it is not compulsory to take a pilot?—No, because they are not 60 tons burthen.

4867. I presume all vessels are now towed up the river, are they not?—No.

4868. All vessels of any size?—No; a great number of ships come up without being tugged.

4869. Do a great many sailing vessels, of any size, come out without being tugged?—I know that I have seen them myself coming up, but I have no statistical information upon that point.

4870. Is the great bulk of large vessels towed up?—I should think they are, but I really cannot say.

4871. Below Greenock is not the pilotage voluntary?—Yes, it is.

Mr. *A. Turner.*
10 May 1870.

4872. Do you know what proportion of vessels take pilots below Greenock?—I do not know.

4873. Is there not any desire expressed to extend compulsory pilotage below Greenock?—No, it is not thought necessary; it is open sea.

4874. It is a very easy pilotage, is it not?—Yes.

4875. What proportion of pilots are employed in the compulsory pilotage district?—The total number of pilots is 32, and they divide themselves in some proportion; I do not know exactly how; the pilots will state that.

4876. There is considerable employment of pilots below Greenock, is there not?—Yes.

4877. Do a very large number of vessels take pilots?—I really do not know how many; the pilots will be able to state that.

4878. Mr. *Malcolm.*] You said, in answer to an honourable Member just now, that what you stated was merely from hearsay; is it not the fact that your first experience of the difficulties of the Clyde arose from being assessor to the Water Bailiffs' Court?—Yes.

4879. And the cases arising out of collisions were brought before you?—Yes; that was before compulsory pilotage was in operation.

4880. Mr. *Gourley.*] That is before 1825?—Yes.

4881. Since then, have not circumstances much altered in consequence of the introduction of steam?—It has now become a hundredfold more necessary, because the trade is 20 times greater than it was then.

4882. Since 1825 the channel has been wonderfully improved, and it is quite a different thing?—Yes.

4883. Before that it was a very dangerous navigation for large vessels, was it not?—I am not qualified to discuss the dangers of navigation.

4884. But the river has very much altered since 1825, has it not?—Yes; but I think it is just as dangerous from the immense increase in the shipping, as what it was then, because while the river has been improved, the shipping has increased a hundredfold.

4885. The depth is made the same almost the whole length of the river now, is it not?—No; it is a very sinuous river, and with a great number of embankments and turns and twists in it.

4886. Is not the channel very much the same depth the whole length of the river?—There is a very navigable channel about 80 feet wide; that applies merely to the strictly central navigable channel, that is not more than sufficient room for ships of 3,000 tons burthen.

4887. Is it not very accurately buoyed out?—Yes it is.

4888. Mr. *Graves.*] Are there many members upon the pilot committee practically conversant with nautical matters?—I think they are almost all conversant with nautical matters.

4889. Can you speak of the issuing of licenses to masters and mates of steamers, or will you call witnesses to speak to it. Will any member of the board give us information as to that matter?—Yes; I think they can do so.

Mr. Thomas Henderson, called in; and Examined.

Mr. *T. Henderson.*

4890. Mr. *Malcolm.*] I believe you are the senior partner in the firm of Handiside and Henderson, the well-known shipowners?—Yes.

4891. And you pay a considerable amount of the dues and rates levied for the port of Glasgow?—Yes.

4892. What is the amount of those rates?—We pay about one-eighth of the whole rates that are levied in Glasgow.

4893. Do you mean the pilotage rates?—One-eighth of the whole, pilotage included.

4894. I believe you were formerly a shipmaster, and held a master's certificate in the Clyde?—Yes.

4895. And you are now a member of the Pilot Board?—I am.

4896. The pilotage of the Clyde is only compulsory above Newark Castle and the Broomielaw?—Yes.

4897. Although they generally take vessels from Greenock to Glasgow?—From the tail of the bank to Glasgow, and Glasgow to the tail of the bank, is what we call pilotage ground; but it is only compulsory from Newark Castle.

4898. It is much more convenient to take a vessel from the tail of the bank right away, is it not?—Yes; that has always been the practice in the Clyde.

4899. Do you think that this proposal to abolish compulsory pilotage would interfere greatly with the regulations which are made both by the Pilotage Board and by the Clyde Trust?—Yes; I am strongly of opinion that it would make the Clyde an impracticable navigation; we could not work it. As a shipowner, I am very anxious to get quit of rates; but I find that it would not work. I would rather pay rates and have a clear navigation.

4900. Can you, as a member of the Pilot Board, give me any idea of the requirements of a pilot before he is licensed?—Yes, in a general way. We consider that he must have at least seven years' experience at sea; that he must have been three years as an officer in a square-rigged vessel, and that he should be thoroughly acquainted with the navigation.

4901. And then, I believe, you have peculiar regulations as to the employment of the pilots when they are first licensed; I believe you put them in small-class vessels first of all?—Yes; we educate them for six months in vessels under 12 feet of water and 300 tons of register. We do not allow them to go in a larger class of ships than that, and thereby they gain experience of the intricate navigation of the river; and having satisfied ourselves that they are qualified, we ship them to a larger class of ships.

4902. You also compel them to go up and down the river on board the larger steamers a certain number of times before they are allowed to act as pilots?—Yes, to get a knowledge of the management of the larger class of ships in these narrow waters, a thing of very great importance.

4903. Of course it requires the greatest possible care and experience of a pilot, however well he knows the river, to take a large vessel either up or down?—Yes; we find it very difficult to get a man educated up to the mark to do his work properly; it requires a long experience and a good deal of judgment.

4904. I believe you know the channel of the river?—Yes, I know it very well.

Mr. *T. Henderson.*

10 May 1870.

4905. Mr. Turner has told us that it is only 80 feet in width in some places?—At the narrowest part.

4906. But some of those very narrowest parts happen to be in the most particularly objectionable places, are they not?—Yes; a man of the greatest management is required in order to prevent accidents.

4907. And with these long steamers it is exceedingly difficult, with all proper care and precaution, to prevent their meeting with accidents?—Yes, we find it very difficult indeed; the ships are growing much larger and faster than the river.

4908. I think there has been a ship lately launched in the Clyde which is, in fact, one of the largest vessels that has ever been built?—Yes; the "Italy," 4,000 tons register.

4909. Mr. *Norwood.*] How long is she?—Four hundred feet.

4910. Mr. *Malcolm.*] And she has to be taken down the Clyde?—We must get her down the river somehow.

4911. The narrow part of the river when you pass Bowling is not marked in any way, is it?—It is marked by a dyke upon the one side to some extent.

4912. I mean the deep track which wanders about between those dykes is not buoyed?—It is not buoyed in any way; it is only known by the local pilots; no one else can know the proper channel of the river without being educated to it.

4913. Then again there are regulations made by the Clyde Trustees for the protection of life, are there not?—Yes.

4914. I mean the lives of those men who are employed on the dredgers and deepening machines?—Yes.

4915. And so that it would be impossible for any but a regular pilot, or one who was constantly going in and out of the river, to know what the signals they put up mean?—It would be very difficult, and nearly impossible.

4916. Because they are liable to be shifted every day, are they not?—Yes; and it requires one who has a knowledge of the operations intended, and what the machines are about, to be able to know how to avoid them.

4917. Then again the Clyde is subject to fog, is it not?—Yes; very much so sometimes.

4918. And it is so long from the Broomielaw to the tail of the bank, that it is very seldom a heavy vessel can get down in one day in the winter time?—Yes, in winter time; in summer we generally manage it in one or two tides; but in winter it is very difficult to get down in a night, especially with heavy ships, and that arises from the difficulty of finding the channel.

4919. Then the river is very much crowded, especially in the summer time, with small steamers, is it not?—Yes; we have a large passenger traffic in summer.

4920. Do you know what the number of steamers is?—I think we have about 30 per day of small steamers running to the coast; 30 downwards and 30 upwards.

4921. And do they always run at fixed hours, irrespective of tides?—Yes.

4922. Consequently they may happen to be coming up or getting down just on the top of high water, and it would be very difficult to avoid them when you are coming down in heavy ships, would it not?—Yes; they run great risks, and it requires great caution to avoid them; and there is a great number of lives involved, for each of them carry from 500 to 600 passengers.

4923. *Chairman.*] Do they carry pilots?—No; they have licensed masters of their own.

4924. Mr. *Malcolm.*] I daresay you know the "Iona"?—Yes; I have sailed in her often.

4925. She is not a pleasant thing to meet?—No; she is very awkward.

4926. And you would not be surprised if I told you that I have seen 2,000 people on board that boat?—Yes; it is quite common, although I am not sure that she ought to have so many.

4927. Mr. *Norwood.*] Do you ever fine her for carrying too many people?—No, we have no public informers in Glasgow.

4928. It is the duty of the Board of Trade, is it not?—Yes, I think so.

4929. Mr. *Malcolm.*] Can you give me at all the average sailings of the trading vessels out of Glasgow?—We have something like 50 per day, including the river steamers, 50 down, and 50 up.

4930. Do you consider it possible, supposing this Bill were to pass, and compulsory pilotage was done away with, that any foreigner could bring his vessel up to the Broomielaw safely?—If she was of any considerable draft, it would be impossible.

4931. And if he did, what then?—If he attempted to do it, he might do very considerable damage, either to other ships, or by impeding the navigation.

4932. This place is so small in many parts, that one vessel getting across would block the whole navigable channel; is that your idea?—Yes, at times that occurs with the best management; within the last three weeks we had one of our own ships that blocked the channel with a pilot on board, and she also had two steam tugs, and yet with that management we got athwart the channel, and blocked the navigation for 12 hours.

4933. Do you think that if compulsory pilotage in the Clyde is done away with, it would materially injure the trade of Glasgow?—I think it would have a very prejudicial effect, and that it would deter many owners from sending their ships there.

4934. You think the risk would be greatly increased?—Yes.

4935. Mr. *Gourley.*] But you would still have pilots?—We would not have the efficient pilots that we have now, because unless you pay them more, and unless you have a sufficient number of vessels to take pilots, the better class of men would find employment elsewhere.

4936. Mr. *Malcolm.*] Do not you think it is much easier to navigate a ship in a crowded navigation of this sort, where you know that every ship has an able and experienced pilot on board?—Yes, and comparatively safe.

4937. You can depend upon a pilot going exactly as close to danger as is right?—Yes, the pilots understand one another, whereas if they were strangers, they would not understand what is meant.

4938. Do you think that the abolition of compulsory pilotage would derange all the plans that the Clyde Trustees have adopted for the safe passage of the river and the maintenance of their improvements?—Yes, I think it would seriously injure our river in every way, and it would upset all our present arrangements.

4939. In

4939. In the conversation you have had with the shipowners and shipbuilders of Glasgow, and from what you have gathered of their view, is that their opinion?—That is the general opinion of those interested in the larger class of vessels.

4940. Mr. *Stevenson.*] Who are the pilots of the river passenger steamers in the Clyde?—The masters.

4941. Are they licensed by the Pilot Board?—They are licensed by the Pilot Board annually.

4942. And if they show any incompetency or any negligence, are their licenses suspended or withdrawn?—They are brought up before the board and examined, and if there is found to be any defect in their management they are suspended or dismissed.

4943. *Chairman.*] I think there were 133 licensed last year?—One hundred and thirty two.

4944. Mr. *Stevenson.*] Are we to understand that in parts of the navigable channel to Glasgow the channel is only 80 feet wide, containing only 12 feet of water at low water?—Yes.

4945. Is the trade of the port content to remain such a narrow channel?—No; we are continually working out the channel; we spend a great deal of money annually in trying to improve it, but we are slow of progress, and the ships are growing in size all the time, faster than we can dredge the river.

4946. Eighty feet seems a very narrow width?—Yes; we have some places in the river where a number of the largest ships that trade to the Clyde cannot safely pass; the channel is only 80 feet wide; we have vessels of 40 feet beam going up and down, so that they actually cannot pass.

4947. Has that state of things remained a very considerable time?—Since the increase in the size of vessels, the vessels are growing so rapidly in size, and the tendency is all in that direction.

4948. On what has the dredging power of the Clyde been expended, if not in widening the channels?—We have a large deposit brought down by the freshets from the upper reaches of the river, and it requires a great deal of dredging to keep it down.

4949. That deposit is in the Glasgow Harbour, is it not?—Yes; and in the lower reaches of the river brought down from the upper part.

4950. Mr. *Brassey.*] Under whom do the Glasgow pilots work?—Under the Pilot Board.

4951. Mr. *Norwood.*] What is the rise of the tide in the river?—Nine feet.

4952. Then you have not more than 21 feet of water?—Twenty-one feet is our maximum, unless there is a freshet in the river, and on those occasions we can take a heavier class of ships down.

4953. I take it from you that the navigation between Newark Castle and Glasgow is very peculiar indeed?—Yes.

4954. It scarcely has a parallel?—It has no parallel in this country.

4955. You do not want compulsory pilotage below Newark?—No.

4956. And as a shipowner you would not desire it?—My own opinion is, that it should extend to the tail of the bank, but I am content that it should remain as it is now.

4957. *Chairman.*] Where is the tail of the bank?—It is the anchorage below Greenock.

4958. Mr. *Norwood.*] Admitting for a moment that the navigation from Newark to Glasgow is very peculiar and exceptional, and admitting for a moment that we put it out of the Bill altogether, I should like to have your opinion, as a practical man, as an old master and a large shipowner, as to compulsory pilotage generally round the coast; do you approve of it, or do you not?—I am quite content that it should be relieved generally.

4959. You would be content to leave it optional; is that what you mean?—Yes; in most harbours I think it is quite practicable, but I think Liverpool, Glasgow, Bristol, and Hull, and some other places are exceptions.

4960. You think that they are all exceptions?—I think so.

4961. You know all those ports?—I know all those ports intimately.

4962. And you think that the same line of argument which would establish the exemption to one of those ports, would establish an exemption to the others?—Yes, I think it applies to Glasgow more particularly, from the intricacy of the navigation, but I think it also applies to the other ports.

4963. Do you license your masters and mates?—We have done so; we do not do it now.

4964. Why not?—I found it was very difficult to get men capable of navigating our ships in the river; I tried the experiment, and found it failed.

4965. The question of the shipowners' liability did not weigh with you very much?—No; it was the difficulty of getting men properly qualified; we might have very excellent masters, but they were very poor pilots.

4966. Would you doubt the abilities of your masters to pilot up the Mersey, or up the Humber?—I would; I do not think there is one master in a hundred fit to navigate a large ship into Liverpool.

4967. You do not propose to alter the law with regard to shipowners' responsibility for damage done when in charge of a compulsory pilot?—I think it hard that shipowners should be liable for men that they know nothing about.

4968. That is not the state of the law merely arising out of shipowning, but it is the general state of the common law, which says that a man should be responsible for the act of another whom he has not employed?—Yes. We do not shirk the responsibility of our masters and mates over whom we have any control, but we do object to the pilots over whom we have no control.

4969. I suppose even the best-regulated pilotage service contains pilots who are careless?—Yes; I have said that we have them frequently brought before us for their carelessness.

4970. And you think it a very hard case, especially in the more easy ports, to be compelled to take a pilot and yet be responsible for his misdoing?—Yes; I think it presses very hard upon the shipowning community.

4971. In fact, the shipowners as a body have a good deal of liability?—Yes, quite enough.

4972. Do not you think it would be very desirable to have a uniform system round our coast, as far as pilotage is concerned?—Yes.

4973. With regard to compulsion or non-compulsion, and the question of pilotage boards and so on, is it not the case that one district varies from another?—Yes.

4974. And that is a source of great confusion, is it not?—Yes.

4975. How can a foreign captain, ignorant of your language and coast, be able to know the pilotage?—

Mr. *T. Henderson.*

10 May 1870.

pilotage?—They do not know it, and do not understand a bit about it.

4976. They are very much puzzled, I believe?—Yes.

4977. Do you think that if the law relating to our pilotage system is to undergo a revision, it should undergo a revision upon a broad and comprehensive basis?—I think so.

4978. And if possible, it would be better to render our system uniform, and if that cannot be done, if there are certain exceptions which must be granted, let the exceptions be as few as possible and well-defined; is that your opinion?—Yes.

4979. So that a shipmaster, whether an Englishman or a foreigner, with the Act of Parliament in his hand, will know exactly what he has to do, and what he has to expect at any point round the coast?—I think that would be very judicious.

4980. Are you aware that the Trinity House of London has very great pilotage jurisdiction?—Yes.

4981. I believe that it has pilotage jurisdiction over more than half our coast?—Yes.

4982. It has jurisdiction over every part of the coast where there is not a local authority?—Yes.

4983. The Trinity House is not only a licensing body, but an administrating body for pilotage?—I am intimately acquainted with it.

4984. Do not you think it is very desirable to separate the licensing and the administrative?—Yes.

4985. And that there should be one body to examine pilots?—Yes.

4986. And that there should be a representative body to control them?—Yes.

4987. And upon that representative body, merchants and shipowners should have a very considerable voice?—Yes.

4988. And, in point of fact, the pilotage system is properly for the benefit of the shipowner, though, of course, the public at large have a very considerable interest in it?—We think so.

4989. That is your system?—That is our system, and we have carried it on for many years with great advantage to the public.

4990. Mr. *Price.*] It seems to follow, from the answer you gave to a question put to you by the honourable Member for Hull, that you object to this Bill, not because it establishes non-compulsory ocean pilotage, but because it establishes non-compulsory pilotage for the Clyde?—And other rivers, but particularly on the Clyde.

4991. You draw a distinction between the River Clyde and some other exceptional cases, and the ordinary ocean pilotage?—Yes.

4992. But with respect to ordinary ocean pilotage, you do not object to the non-compulsory system?—I do not object to that.

4993. Are you not expending a great deal of money from time to time in improving the navigation of the Clyde?—Yes.

4994. What are the particular works upon which that outlay is incurred, exceeding and beyond the outlay upon the dredging?—We have had a great deal of blasting rock from the bottom of the river to do in the Clyde, and this is only partially done; we have a great deal to do in removing the bed of rock from the bottom of the river at the very narrow part of it. We have also spent a great deal of money on the quays and harbour accommodation.

4995. Have not you also a good deal of embankment?—Yes, all down the river; what we call dykes.

4996. Has the effect of this dredging and blasting continued to alter the existing channel, so as to vary it from time to time?—Yes.

4997. Are the works of such a character that they might be injured by the shipping fouling them?—Yes, any of the deepening plant can be damaged by that very easily; and, in fact, it requires great caution and care to avoid it.

4998. Therefore the shipping may cause as much danger to the navigation as the navigation to the shipping?—Yes; and when the men are down in the diving-bell it requires great care to navigate past them, in order not to endanger their lives.

4999. So that you agree with the witness who preceded you, that the pilots upon the Clyde are a sort of river police?—Yes.

5000. And, therefore, they are not to be considered upon the same footing as ordinary ocean pilots?—No.

5001. Do you know anything of the navigation of the Caledonian Canal?—Yes, I have passed through it.

5002. Are the ships that pass through the Caledonian Canal compelled to take pilots?—Yes, by Government.

5003. Is that to enable them to navigate with greater safety, or to avoid injury to the works?—For both purposes; to avoid injury to the works, and to act as a sort of police; to know the difficulties and dangers of the canal.

5004. Is that also the case with the Crinan Canal?—Yes.

5005. Do you put the navigation of the Clyde in the same category as that of the Caledonian Canal and the Crinan Canal?—Yes, but we consider the difficulties of our navigation much greater.

5006. Though the difficulties may be greater, do you consider them as standing in one category by themselves, rather than as forming any part of the great question of ocean pilotage?—Yes.

5007. Of course, you do not say that the Clyde has any reference at all to ocean pilotage?—No.

5008. You alluded just now to the Mersey as a river that ought to be exempted, and you also said the Humber and the Port of Bristol should be exempted?—Yes.

5009. And you said you were familiar with the Port of Bristol; do you think there are difficulties in the navigation of the Bristol Channel which would also tend to make it an exception?—I think it is much like the Clyde.

5010. Are you aware of the fact that all vessels that go to Gloucester are exempt from compulsory pilotage?—I was not aware of it.

5011. But do you know that all vessels going to Gloucester pass over the same water as those going to Bristol, as far as King Road?—Yes, and I should only require a pilot there, the same as we do in Glasgow now.

5012. If your opinion be a sound opinion, that compulsory pilotage is necessary for the safety of the navigation to Bristol, it would also be necessary for the safety of the navigation to Gloucester?—Yes.

5013. Would your opinion be modified if you knew that there has been for several years perfect non-compulsory pilotage to Gloucester?—No; I think it has been badly managed there; they ought to have had a system of police there by this time.

5014. The

5014. The fact that there has been a remarkable immunity from accident would not at all modify your opinion?—No.

5015. You would admit the facts, but say it was all the worse for the facts?—They must have had a peculiar immunity, but Gloucester has a very small trade in comparison with the Clyde.

5016. *Chairman.*] As compared with Bristol, is that a very small traffic?—Yes, I should think so.

5017. Mr. *Price.*] I was not drawing any comparison between the trade of the Bristol Channel, and the trade of the Clyde, but I was drawing your attention to this fact, that the navigation to Gloucester is the navigation to Bristol, and something more, and the navigation between Bristol and Gloucester is by far the most dangerous part of the navigation of the Bristol Channel; is it not so?—Yes, but I think that to both Gloucester and Bristol a system of compulsory pilotage would be of great advantage.

5018. What possible advantage can it be if they have always piloted without accident; I do not want a mere abstract opinion, but I want a reasonable opinion upon it; if I understand the advantage of having the compulsory system, it is to secure you competent pilots?—Yes.

5019. Supposing you secure competent pilots in adequate numbers without it, what is the advantage of the compulsory system?—None whatever, but I have a strong opinion upon that subject.

5020. Then I will only ask you this: if you were told that it could be proved to you that there was an adequate number of free competent pilots to be had at all times, under the voluntary system, then there would no longer remain any reason in your mind why the system should be compulsory?—No; I believe in free trade.

5021. Therefore if it is so, and to whatever extent it may be, so that there are always in the Bristol Channel, under a perfect non-compulsory system, an adequate supply of competent pilots, there is no necessity there for a system of compulsory pilotage?—No.

5022. Nor in any other places similarly situated?—No, so long as you have properly qualified men.

5023. Your fear is a fear which a great many others have expressed before you, that if there were no system of compulsory pilotage in the Clyde, there would be no pilots at Greenock?—I think so clearly.

5024. We were also told that at Liverpool the reason was that the men were exposed to a great deal of hardship and danger in keeping the sea, and that is one ground upon which the Liverpool witnesses founded their fear, that under the voluntary system there might be an insufficient supply of pilots; is that true of Greenock also?—Not to the same extent; but the men would still require to be at Greenock waiting and watching for the ships arriving, and they would not do so if it was optional on the part of the masters to take them or leave them.

5025. Why should not they be there just as well as below Lundy Island; there is no great hardship in living at Greenock, is there?—No, but we have a good example of the two systems in Greenock and Glasgow. In Greenock pilotage is not compulsory; they have only half the number of pilots that we have in Glasgow; but we find that these men are not at all like the same class that we have.

5026. Do you mean the Clyde pilots?—They are Clyde pilots; they are beyond Greenock to the Cumbrae Heads. We have the voluntary system there, and we have the compulsory system above, and we have only to contrast the two to find the difference, and it is very great in favour of the Glasgow pilots; anyone who knows the two systems will agree with me.

5027. Do you think you get better pilots in Glasgow under your system?—We have first-class pilots under our system, and they are most contemptible under the other.

5028. In all these cases where you advocate the compulsory system, it is where the circumstances of the navigation are peculiar, is it not?—There must be some peculiarity in the navigation to warrant the compulsory system.

5029. There must be some peculiarity in the navigation to warrant the compulsory system?—Yes, that is my idea.

5030. Mr. *C. Turner.*] You spoke in respect of the hardship of masters of vessels being liable to loss occasioned by pilots; is it the practice of masters of vessels entering and leaving Glasgow to give up the entire command of their vessels to pilots when the pilots come on board?—That is the case with the great majority of the masters of vessels.

5031. But it is not universally the case, is it?—It is not universal, because I myself practice differently; in our larger class of ships we keep the master on the bridge as well as the pilot.

5032. The master stands on the bridge next the pilot?—Yes.

5033. Then I apprehend that when the pilot wishes to give any orders to the helmsman in respect of the course of the ship, or to the engineer, with respect to the speed of the vessel, in the case of a steamship, he gives orders through the captain, and not direct?—That is our system.

5034. Supposing the captain, knowing his vessel, thought the pilot was giving orders which involved great danger to his vessel, would he caution the pilot, if he did interfere with him?—He would caution him, but not more; he would say, "You are not giving the vessel sufficient time to get round the turn," or "You are giving her too much helm;" bringing his knowledge of the ship to bear.

5035. And also his knowledge of the variation of the compass?—Yes, and also his knowledge of the variation of the compass; he would give the pilot the benefit of his experience.

5036. You would think that that was part of his duty, I suppose?—Yes.

5037. Has it occurred to you whether there is any mode by which the pilot might be made of assistance to the captain, and by which the captain might retain the command of his vessel, and have the assistance of the pilot in local waters?—I do not think it would, especially in intricate navigations; I think the management of the ship must be in the hands of the pilot; local knowledge is everything, the other is subordinate.

5038. But is it the master's duty with respect to local knowledge, in which he would be imperfectly informed, to take the pilot's opinion?—There is not time for consultation; the difficulties arise so suddenly that there must be instantaneous action, and the man that has the local knowledge should act; that is the impression which I have always had, and it has been gathered from my own experience as a shipmaster.

Mr. *T. Henderson.*

10 May 1870.

5039. But you would think it desirable, if you could, to leave some responsibility with the captain as well as with the pilot?—I never like two heads to do anything; I always like a responsible man; I would rather have the pilot.

5040. You would only have one responsible man?—Yes.

5041. Whatever the danger was, in the opinion of the captain, do you think the captain ought not to interfere any further?—By cautioning the pilot and putting the responsibility upon the pilot, and letting him know the danger he was incurring; any greater interference would be prejudicial to the general interest.

5042. Mr. *W. Martin.*] Would the cautioning of the pilot have the effect of putting the responsibility upon the owner?—The owner has to suffer if the pilot does anything wrong notwithstanding.

5043. Is there any peculiarity in the Scotch law to that effect?—No, it is the English law; if a pilot runs my ship ashore I have to suffer.

5044. Have you many complaints that the larger ships in the Clyde run down the smaller ones?—No; it is generally large ships that run down large ones; the large ships are the difficulty in their navigation; two large ships are more likely to get into collision.

5045. In the petition of the Thames, of owners of 400 tons of small shipping, the complaint is that in the Thames the large steamers, such as you, run them down, and that whether the steamer is in fault or not, they have no redress, is that the case with you?—No; and I do not think it is the case in the Thames.

5046. It certainly is so?—I think the large ships are more carefully navigated than the small ones in all waters.

5047. You say that you have got a very superior class of licensed pilots, is their number 16?—No; 32.

5048. What are their average earnings?—The average of their earnings is over 200 *l.* and under 300 *l.*

5049. Over 200 *l.* per man?—Yes; per annum.

5050. You said, in answer to the honourable Member for Hull, that if this compulsory pilotage were abolished, you thought you could not retain the service of your present staff of pilots?—I think not.

5051. I want to understand it; I suppose it would be impossible for one of these large ships to come up the Clyde without a pilot after the description we have heard of it?—We think it impossible.

5052. Whether there is compulsion or not, you must take a pilot?—We would, as far as our vessels are concerned; the large class of vessels, drawing 20 feet of water, must have a pilot on board

5053. Do you pay over 15,000 *l.* a year?—Nearly 15,000 *l.* a year.

5054. How much of that goes to the pilots?—I do not know, but it is said that we pay one-eighth of the whole pilotage; I think it is something like 800 *l.*, that is what we pay ourselves.

5055. There must be several other owners with large steamers like yours?—Yes.

5056. Would they be bound to take pilots also?—Yes.

5057. As these men have not any danger in keeping the sea, or any hard work, they can stand in Greenock till the master makes the signal, can they not?—If compulsory pilotage were abolished, I should keep a pilot of our own; I would make sure that our vessels should always have a pilot.

5058. You would want more than one, would you not?—One could do a great deal in our river; we might have two.

5059. Do you think that all the other great owners would do the same?—I think all the other great owners would do the same.

5060. So that in that case the number of pilots would be reduced, would it not?—Yes; and it would be only those employed by the larger owners, who would have sufficient emolument to keep them in the service.

5061. How are the small owners' vessels to get up?—That is the difficulty I find upon the point.

5062. Do not you think that there would be public pilots also in addition to these private pilots?—They would make a miserable livelihood, and you would have a miserable class of men to do the work.

5063. Mr. *Grieve.*] Are you a member of the Pilot Board?—Yes.

5064. I should like you to modify your opinion a little about the deep-sea pilots; I believe you said they were a contemptible lot of men?—Yes.

5065. Do you mean to say that you sit upon the Pilot Board, and license this contemptible lot?—They are the best that offer.

5066. It seems an extraordinary thing for a member of the board to license the contemptible lot at Greenock?—You have a very few respectable men offer themselves for the post.

5067. Do you admit that there is a great deal more hardship in the case of the deep-sea pilots than in the case of the river pilots?—They perhaps have more hardship, but a good deal of that is brought on by their own misconduct.

5068. Do you know one breakdown in the river from misconduct of the pilots there?—Very rarely; they are generally well-conducted men.

5069. You reiterate your opinion that they are a contemptible lot at Greenock?—Yes.

5070. And you are a party to licensing these men, are you not?—Yes; we cannot do anything else; there are no other men who offer, but they are not compulsory pilots, and therefore the hardship is very small; there are exceptions, however, in these pilots.

5071. Mr. *Gourley.*] Are your channels buoyed and lighted?—Yes, they are for the information of pilots; not for the information of strangers.

5072. Are the buoys and lights not marked upon the charts?—Yes.

5073. Would it not be possible for you, as a nautical man, to find your way up and down the Clyde by the use of the chart?—I could by local knowledge.

5074. I suppose all nautical men could do so?—Not one in 100; they must have local knowledge.

5075. A man procures local knowledge immediately he comes into the water, so long as he possesses the chart, does he not?—No, he must have the local knowledge to be able to distinguish objects.

5076. By your mode of reasoning, a man going across the Atlantic for the first time could not find his way round?—A man may find his way by chart.

5077. Do

5077. Do not you think that he could find his way by the use of the chart?—Not in the Clyde.

5078. Are there many ships passing in and out of the Clyde without pilots?—Very few; only vessels under 60 tons register.

5079. What vessels are they which impede the navigation?—Any vessel improperly managed will impede the navigation.

5080. Do not you find the small vessels generally impede the navigation?—Yes.

5081. Do the small vessels hamper the navigation?—They do.

5082. Who regulates the navigation of the river; are there not harbour-masters who regulate the navigation of the river?—Their jurisdiction only extends the length of the harbour proper, not on the river.

5083. In what way do the pilots act as police in the river; in the navigation of the river?—By carrying out the regulations of the Pilot Board and the Clyde trustees.

5084. I suppose captains of ships could do the same thing?—They would require to study the regulations.

5085. They would simply require to read them, I suppose?—Reading them once would not put them into their head; they would require to study the whole subject; we think it requires a man six months to learn them.

5086. Do you know anything of the Tyne and the Wear?—Yes.

5087. Have you been there in command of a ship?—Yes.

5088. Do you find any want of a proper supply of pilots in those rivers?—Yes; during the winter months they have a very poor supply of pilots.

5089. Have you been there during the winter months?—Yes.

5090. Do you ever find any accident occurring from the negligence of pilots?—I have heard of accidents occurring from that cause.

5091. Have you experienced it yourself?—No.

5092. Has not the introduction of steam simplified the navigation of all the rivers very much?—It has, to a certain extent; but it requires considerably more knowledge to navigate a steamer than it does to navigate a sailing ship; a steamer goes so fast.

5093. Even in narrow waters?—Yes; a man must have all his wits about him.

5094. Are any of the masters of your steam tugs licensed pilots?—No; they are men who have been bred upon the river, and they are good pilots.

5095. When your ship is in charge of a steam tug could you dispense with a pilot altogether?—No.

5096. Why could not you do without a pilot?—Our river is so narrow that if a vessel got too much helm she would get ashore, independently of the tug; the tug may be turning a corner long before we get up to it.

5097. Sir *C. Wingfield.*] Do you know the port of London and the River Thames?—Yes, somewhat.

5098. Is not the navigation of the Clyde above Greenock something resembling the navigation of the Thames above Gravesend?—Yes; only the Thames is very much larger, consequently the navigation is less dangerous.

5099. But is not the Thames much more frequented?—Yes; and I think you have much need of a system of police there also.

5100. Are you aware that above Gravesend more than half the vessels are exempt from compulsory pilotage, and yet all take pilots?—I am not aware of that fact.

5101. Do not you think that the difficulty of the navigation of the Clyde will in itself compel the employment of pilots?—Yes, I am clearly of that opinion.

5102. You think it will of itself compel the employment of pilots?—Yes, to those who know the dangers of the river; but my difficulty is, that people who do not know the dangers will think they are quite capable of navigating the river; they get into trouble and stop our navigation.

5103. Is that in the case of foreign vessels?—In the case of foreign vessels it particularly applies. I cannot see how they can possibly navigate the ships up our river; therefore they would be a nuisance.

5104. A captain who approaches the port, for the first time, can inform himself beforehand what sort of port it is; he does not come there without thinking beforehand how he is to get in; therefore, if he sees that it is difficult he will take a pilot, will he not?—He may if he is a man of proper judgment; but I would not like to leave it to the judgment of the ship-masters in general, because a great many of them think they know a great deal more than they do.

5105. *Chairman.*] Have you any doubt, yourself, that all foreign vessels coming to the Clyde, or any other port, would carry pilots?—I do not think they would take pilots, as a rule, because they are very economical.

5106. Are you aware that all foreign vessels coming up the Thames for the north of Europe, though not bound by law to carry pilots, do carry pilots?—I am not aware of that.

5107. Are you aware that under their policies of insurance in the north of Europe they are found to carry pilots?—I am not aware of that; besides, they may not all be insured.

5108. You have no means of knowing whether all foreign vessels do take pilots or no?—No, I am not; I am only assuming that they would not.

5109. You are assuming that they would not, as a rule?—Yes, especially the smaller class of vessels.

5110. Did I understand you that the pilotage below Greenock is an entirely separate pilotage; that it is a different system altogether from the Clyde?—It is a totally different system; it is regulated by the same board; but there are two distinct staffs of pilots.

5111. Therefore, the river pilots do not go lower down than Greenock?—No.

5112. What is the number of licensed pilots for the district below Greenock?—Sixteen, I think.

5113. What is the number of licensed pilots for the Clyde?—Thirty-two.

5114. What is the distance of the pilotage district below Greenock from Greenock to Cumbrae?—Twenty miles.

5115. Do your masters take pilots in going through that district?—Never.

5116. Then I presume that your vessels are towed?—All our masters are qualified to navigate the vessels in their possession. My vessels are all steamers.

5117. Can you tell us what the number of vessels towed up the river is, compared with those

Mr. *T. Henderson.*
10 May 1870.

those that are not towed?—There is a very small number now not towed.

5118. Can you state what the number is?—I do not know the number; I should say it is a very small proportion of the whole.

5119. I believe almost all the sailing vessels are towed up the river?—Yes, sailing vessels are exceptional.

5120. You think whether a vessel is towed or not, it is necessary that she should take a pilot?—Yes.

5121. That is in all dangerous navigation?—Yes.

5122. The presence of a tug does not exempt a vessel from the necessity of carrying a pilot?—No; I think she still requires a pilot.

5123. When you mentioned the exceptional cases which you thought ought not to be included in the Bill before the Committee, you mentioned the Clyde, the Mersey, Bristol, and the Humber?—I mentioned these places because I happen to know them myself.

5124. You did not mention the Thames?—No.

5125. Is that because you do not know anything about the Thames?—I think the same rule applies to the Thames.

5126. Do your vessels go to the Thames?—Yes, we have a good deal of trade to the Thames, and my ships always carry pilots.

5127. Are they bound to carry pilots?—Yes, they are bound to carry pilots, they being foreign steamers.

5128. They carry cargoes to the Thames, and come in ballast to the Clyde?—Yes.

5129. But in going from the Thames to the Clyde in ballast you are not bound to take a pilot?—No, but we all take pilots.

5130. Mr. *Grieve.*] I think that the Pilot Board at Greenock, having regard to those who apply to them to be licensed, do not take all who apply?—No.

5131. There are about 24 pilots there, are there not?—I think the number is 16.

5132. *Chairman.*] Do you know what the income of the pilots below Greenock is?—No, but I know that it is very inadequate. There are one or two men who get the great bulk of the pilotage; these are respectable, well-conducted men; and the other class are very seldom employed by any one acquainted with the place.

5133. By what class of vessels are they employed?—They are principally employed by the steamers, and the foreign vessels going round to Liverpool.

5134. Do the masters of the foreign vessels take pilots at Cumbrae, coming inwards?—No, the vessels come up to the tail of the bank before taking pilots.

5135. The navigation is very plain and simple up to Greenock, is it not?—Yes.

5136. I understood you to say, with the exceptions that you have named, you think there is no reason for continuing compulsory pilotage in other parts of the coast?—I do not see it myself.

5137. Mr. *Graves.*] How are you elected to the Pilotage Board?—I think it is the nomination of the Lord Provost.

5138. You are not elected, in a popular sense?—No, I think it is a nomination of the Lord Provost of the City of Glasgow.

5139. Mr. *Grieve.*] Is it not the Clyde Trustees?—I think it is the Lord Provost that nominates, and the Clyde Trustees approve of his nominations.

5140. Mr. *Graves.*] Are the selections which are generally made, made with respect to some personal knowledge of pilotage?—Yes, entirely.

5141. Is this board regarded in Glasgow as representing the commerce and shipping of the port?—Yes, I think so.

5142. *Chairman.*] The number of masters who are licensed to act as pilots in Glasgow seems to be very considerable?—Yes, 132.

5143. The board have been very liberal in their licensing of these men?—Yes; provided that they are always duly qualified by experience in the river, we put all facility in their way for licensing them.

5144. What do you generally take as a test of experience?—A considerable experience in the river and the management of the class of vessel to which his license applies; a pilot is always licensed for a particular vessel.

5145. You do not give a general license to these men?—No.

5146. I presume, therefore, that a very large number of vessels are every day going up and down the Clyde practically piloted by these men?—A good many of them.

5147. Mr. *C. Turner.*] When you say that a man is licensed for a particular vessel, you mean a particular class of vessel?—No; the particular vessel in which he sails.

5148. Mr. *Graves.*] I suppose it is considered to be a matter of great importance to bring the commerce of Glasgow as near to Glasgow as possible?—Yes; all our efforts have been in that direction for some years.

5149. Do you find that there is occasionally an unwillingness upon the part of the shipowners or masters to bring their vessels beyond Greenock?—The foreign vessels often object to come up.

5150. Is that owing to the fear of encountering the difficulties of your river?—I think it is very greatly so; I have known even British shipowners object to send their vessels to Glasgow for the same reason.

5151. Then the safer you can make the river the greater is the inducement to bring up the shipping to the port of Glasgow?—It is so.

5152. The honourable Member for Gloucester has put some questions to you with reference to the Severn; have you answered those questions from any personal knowledge, or upon general principles?—I have been there several times, and I have a personal knowledge, to some extent, of the Severn.

5153. Probably the effect of a vessel grounding in the Severn would only be to damage herself, she could do nothing to stop the navigation of the Severn?—No; there is more room there.

5154. Are you aware of the average size of the vessels visiting the Clyde and Gloucester?—I know there is a much larger class of ships in Glasgow.

5155. Are you aware that the average tonnage of vessels visiting Glasgow is 240 tons?—I am not aware of the tonnage, but I know that a very large class of ships frequent the Clyde.

5156. Are you aware that the average tonnage of the vessels visiting Gloucester, is only 80 tons?—I am not aware of that, but I should fancy that it is something like that.

5157. That would draw, in your mind, some distinction with reference to the necessities of the

the two ports?—I still think that a system of pilotage in a port like Gloucester is necessary merely for police purposes.

5158. I speak of the anchorage from the Roads to Sharpness Point, do you know anything of the tides of the Severn?—Yes; I know them generally, and I know that they are very strong tides; but my remarks on the Severn were merely general remarks; my evidence is given for the Clyde.

5159. You do not desire the Committee to suppose that because you consider the system to answer upon the Severn, it would answer upon the Clyde?—My remark is general; I think what applies to the Clyde, would suit the Severn also.

5160. But not what suited the Severn would suit the Clyde?—They do not seem to have anything there that we can learn by.

5161. You have stated that the average number of vessels daily leaving the Clyde is something like 50; at what time of tide do they generally leave?—It depends upon the size of the vessels.

5162. Take the larger class of vessels?—The larger class of vessels require to leave from an hour to an hour and a-half before high-water.

5163. Supposing the case of two or three vessels fouling each other and grounding on the ebb tide, what would be the effect of that upon the vessels leaving the port at high water?—They must all stop above the vessels; it would impede the navigation.

5164. What do you mean by stopping?—They must bring their ships up.

5165. Would they lie afloat?—No, they would lie aground.

5166. They must all take the ground above the ship blocking the channel?—Yes.

5167. Then I suppose you consider that it would be a very serious injury to the reputation of your port if that occurred?—I am sorry to say that it does sometimes happen, even under the present system.

5168. And under a free system, in which probably the exemptions from pilotage being increased, would you be afraid that the tendency would be greater?—It would be much increased, and we think it would impede our navigation; that is our principal objection in Glasgow.

5169. Have you formed any idea of what number would avail themselves of the exemptions?—No.

5170. I believe you have some exemptions at the present time?—Yes, vessels under 60 tons are exempt.

5171. As your trade increases, and the difficulty of your navigation consequently increases, do you find that these exemptions are becoming at all dangerous?—They are prejudicial. There is no doubt that if we had the application of compulsory pilotage to all vessels, it would be beneficial to our navigation.

5172. In the interest of the navigation your interest would be to do away with all exemptions?—We would rather do that than go in the other direction.

5173. When you speak of putting the vessels now exempt under a system of pilotage, you mean that they should be put under some modified system?—We would not require the grade of pilots that we have for our larger ships; we might have two or three grades of pilots and make it very cheap; a very small charge would be sufficient to exact from these small vessels.

5174. But still you would like to have the surveillance of them?—Yes.

5175. Do you find, from your knowledge of the Clyde, that you have more difficulty in avoiding vessels without pilots than in avoiding vessels with pilots?—Yes; for the reason that the man who is in charge of a small exempt vessel is not aware of our signals and mode of management, and he acts in ignorance of what we are going to do; when we have a pilot in the vessel we are meeting, we each understand the other, and they can take the precautions of the signals.

5176. I observed in going up and down the Clyde, a peculiar wash following a full steamer going up, and the level of the river alters two or three feet; has that much effect upon the rudder of a steering vessel in the proximity of the wash?—Sometimes it affects them so much as to make them come round quite in an opposite direction to what the rudder ought to send them.

5177. Therefore, besides the material difficulty, you have this artificial one?—Yes; that is caused by the displacement of water acting in opposite directions.

5178. Has the pilotage system been always voluntary at Greenock?—Yes.

5179. Have you any means of informing the Committee as to the proportion of vessels that take pilots going from Greenock?—A very small proportion of them. I do not know the figures, but a very small proportion of them carry pilots outwards, and a smaller proportion carry pilots inwards.

5180. Do you consider that the voluntary principle upon which that system is founded has anything to do with the deterioration of the pilots?—I think naturally so. I think it is because the men are inadequately paid that we cannot get a better class of men there; but I am of opinion that the navigation does not require it, and therefore we tolerate that system.

5181. Therefore, as an illustration of the voluntary system, you are of opinion that the voluntary system has tended to the deterioration of the pilots?—Yes; we have two systems. The one below Greenock is non-compulsory, and the one above Greenock is compulsory; and I say it is very clear to anyone who looks at the two systems which is the best; that the Glasgow system is decidedly the best.

5182. May not having an inferior system so close to your own door lead you to think that your own system would become so if compulsion was done away with?—We feel quite sure that it would become the same as Greenock.

5183. *Chairman.*] Is there not this great difference, that in the one case a pilot is not necessary, and in the other case a pilot is necessary?—That is because we have the local knowledge; we know the difficulties, and we know that it would be necessary for our own ships to have pilots on board of them.

5184. You, who now pay one-eighth of the whole pilotage, would still continue to employ pilots?—Yes, but we would not pay one-eighth of the pilotage; we would get it for a much less sum.

5185. I understand that the principal shipowners would continue to do as you do?—Yes, they would engage pilots for themselves, and that would spoil and ruin the system altogether; we would be obliged to do it.

Mr. *T. Henderson.*
10 May 1870.

5186. Mr. *Graves.*] Therefore you would have a direct pecuniary advantage in supporting this Bill rather than in opposing it?—Yes, pecuniarily it would be to our advantage.

5187. And probably the practical effect would be that a few of the leading shipowners like yourself would have their own pilots, thereby doing your business at a much smaller expense, while the general outside public would be left to do the best they could?—Yes, then they would have great difficulty in picking up a proper man.

5188. Speaking independently of the Pilotage Board, from your daily and constant communication with your brother shipowners in Glasgow, do you feel yourself warranted in saying that they generally sympathise with you in the opinions you have expressed here to-day?—I know that the larger shipowners do; the coasting shipowners may not be of the same opinion as me.

5189. *Chairman.*] Has the Steamship Owners' Association expressed an opinion upon the subject?—We have no Steamship Owners' Association in Glasgow.

5190. You have a Sailing Shipowners' Association?—They have expressed no opinion; they have never discussed the question.

5191. You have never had any meetings upon the subject, is that so?—Not upon the Pilotage Bill.

5192. Mr *Grieve.*] Have you read the Bill?—Yes.

5193. Are you aware that the Pilotage Board would still continue in the Clyde the same as now?—Yes, I am aware of that; it is proposed to do so. I do not know that we would take the trouble to attend it.

5194. Are you also aware that no pilot could be taken by the master unless he was a licensed pilot?—Yes; I am quite aware of that.

5195. And you still think that the pilots would deteriorate under that system?—Yes; I think so.

5196. Mr. *W. Martin.*] Why are the coasting masters in favour of the Bill?—I do not know that they are in favour of the Bill, but they do not object to it; because, at present, they have a sort of exemption; their masters are licensed, and therefore they have only the expense of renewing that license, which is only a guinea or a guinea and a half annually.

5197. Mr. *Price.*] Do you remember that the questions I asked you with regard to the pilotage of the Bristol Channel had reference to the probability or otherwise of the pilots maintaining their stations under the non-compulsory system?—Yes; I do.

5198. And I think you told me that if it could be shown that in the Bristol Channel the pilots were to be found in adequate numbers, and of competent skill, under the non-compulsory system, that there was no argument whatever for compulsory pilotage; now, the honourable Member for Liverpool asked you whether it was not the fact that vessels of a much larger class frequent the port of Glasgow than those that frequent the different ports of the Bristol Channel?—Yes.

5199. He asked that more especially with respect to Gloucester, but my questions are directed rather to Leith and Bristol than to Gloucester?—The larger class of vessels go to Bristol and Swansea rather than to Gloucester.

5200. And the difference in the size is not so great between Bristol and Glasgow as it is between Gloucester and Glasgow?—No; but still it is great.

5201. What I want to ask you now is this: if pilots are found upon their stations in all weathers, in a navigation where only small ships come, is it not more likely and more reasonable to suppose that they would be at their stations in a navigation where large ships come?—It would seem so, though I do not at all believe in the voluntary system there or anywhere else.

5202. I did not ask you that at all?—I do not like to express half an opinion. I want to give what I have found from practical experience.

5203. I did not ask you any question with regard to compulsory or non-compulsory pilotage then; I only ask you this: if it is found by experience that the pilots do maintain their stations under the non-compulsory system where small ships come, is it not more reasonable to infer that they would keep their stations in a navigation where very large ships come?—Yes, I grant you that as an argument, but I wish to express that I never yet in all my experience found any voluntary system of pilotage efficient.

5204. But perhaps you have not known any?—Yes; I have been all round the world mostly; I have navigated to a great many places.

5205. I was merely asking the question with reference to what the honourable Member for Liverpool put, because it seems to me that if it is true that these pilots do maintain their stations where little ships come, *à fortiori* they would do so where large ships come?—I was not aware till you told me of it that the pilotage system was so efficient in the Bristol Channel.

5206. Mr. *Cave.*] Do you know that the "Great Western" did ply between Bristol and America?—Yes.

5207. That is not a small vessel?—No; but there was care taken that she should come all right.

5208. And the "Great Britain" was built there?—Yes.

Mr. James Allan, called in; and Examined.

Mr. *J. Allan.*

5209. Mr. *Malcolm.*] I believe you are the senior partner of the firm of Allan & Company, of Glasgow, of the Allan Line of Transatlantic Steamers?—I am.

5210. You also pay a large portion of the amount levied as Clyde rates and dues?—We do.

5211. You were formerly a shipmaster yourself?—I was.

5212. And as such, have been trading about in various ports a good deal?—Yes.

5213. You are a trustee of the Clyde Navigation?—I am.

5214. And Chairman of the Committee of Management of the Glasgow Pilot Board?—Yes.

5215. The Lord Provost, I believe, is *ex-officio* chairman?—Yes.

5216. And you are practically Chairman of the Glasgow Pilot Board?—Yes.

5217. How long have you been chairman of that

that Board?—It is a long time, and I do not remember. I have been 22 years a member of it. I do not remember exactly how long I have been chairman.

5218. We may take it that you are pretty well acquainted with all the ins and outs, and the regulations?—Yes, between Greenock and Glasgow.

5219. Both as a Clyde trustee, and as a member of the Pilot Board you have taken part in laying down those regulations which are now in existence for the benefit of all the public in the navigation of the Clyde?—Yes.

5220. And you know, consequently, how very detailed they are?—Yes.

5221. Doubtless, you consider it necessary that you should have local pilots who are thoroughly acquainted with those details?—I do.

5222. You consider that they are laid down not merely for protection of property, but for the protection of life?—Yes, very much for the protection of life.

5223. As some of the members of the Committee are not so well acquainted with the works that are going on in the Clyde as I am, would you describe to us the sort of dangers which men employed by the Clyde trustees are exposed to, more particularly I mean the number of men that you see employed about the mud-floats?—The dredging machines go out pretty near the channel to deepen the water for the large ships, and they are very apt to run into them. There have been one or two instances of sinking, in spite of all the care taken: and there are the diving-bells, and the hopper barges; a great number of them; long iron vessels.

5224. I think there are twelve of what you call hopper barges employed by the Clyde trustees?—Yes, there are.

5225. And those are large vessels propelled by steam that are employed to convey the mud out to the deep water?—Quite so.

5226. In addition to that, there are long trains of barges or punts?—Punts we call them.

5227. Those when loaded have not above an inch or two of freeboard?—No, about that.

5228. And consequently, it requires great care in the management of the vessels, if there are small steamers going up and down the river, to prevent washing the men off?—I do not think there is much danger of washing them off.

5229. I have seen it done; if two steamers were passing together, the wash in coming back from the bank was very heavy?—I thought you meant on board the dredgers.

5230. I mean with punts?—Yes, it comes up to the very top of the incline.

5231. And in consequence of that, there are signals erected by the Clyde trustees, to show pilots and masters as to where these things are employed?—Yes.

5232. And where, consequently, it is necessary for them to take extra care?—Yes.

5233. You consider that it would be impossible for any person not in the habit of constantly passing up and down, to distinguish these signals and to appreciate them?—To understand their meaning.

5234. I think the Clyde trustees are now applying to Parliament for powers to expend a large sum in the making of docks?—Yes, about a million and a half, I think.

5235. That, I suppose, implies an enormous trade on the river?—I hope so.

5236. You have, I think, figures that will show that at the present time?—We have not accommodation now for the ships that frequent our harbour.

5237. Ships are very apt now, I believe, to touch the ground when they are lying at the Broomielaw?—They almost always do at low water.

5238. Can you give me the tonnage using the Clyde now, up to Glasgow, at all events?—Two hundred and two vessels were launched last year, and they measured 192,310 tons.

5239. That is the iron shipbuilding for one year?—For one year; with reference to your question, 1,916,507 tons frequented the river during the year; 132 of these were above a thousand tons.

5240. With all these large vessels going up and down, in spite of all the care you take, you sometimes have collisions?—Occasionally.

5241. And more frequently interruptions owing to their grounding?—Yes.

5242. And that in spite of the employment of steam tugs, and every precaution in fact that can be taken?—Yes.

5243. I believe it is frequently the case in the Clyde that you send the vessel down with three or four steam tugs?—The larger class of ships always take two, and sometimes more; the iron-clads, I think, have about six.

5244. The large number of small steamers add very much to the difficulty?—Very much.

5245. I think you license 132 masters and mates?—Yes.

5246. Those are mostly, I take it, the masters and mates of the river steamers?— Yes, home-trade vessels.

5247. That would include those going to Ireland and Liverpool?—Yes.

5248. Practically these men go in and out the river two or three times a week at the least?—Yes, the small vessels go up and down every day, and many of them have two pilots on board; though there are 132 pilots there are not 132 different vessels.

5249. What is the object of a small vessel of that sort having a master and a mate qualified?—The Pilot Board compel them to have a pilot on the bridge, and the captain sometimes goes down off the deck to collect his fares, and we compel him to take a licensed man to take his place; there was an accident at one time in consequence of no man being there, and ever since that those who do not carry a purser or a clerk have been obliged to carry two pilots.

5250. You think that if this non-compulsory pilotage were relaxed in regard to the Clyde, or in fact done away with, that the consequence both to life and property would be very serious?—I think so.

5251. Because there would be always some shipmasters who would think it is only a canal, and that they could get up without a pilot?—Just so; some of them think if they follow a tug boat that they are all right; they soon find their mistake out when they come to try it. At first they would often say, if it were not compulsory "we will follow the tug-boat," but that is a very bad substitute for a pilot.

5252. Owing to the narrowness of the deep channel, and the rapid turns which the river takes in some places?—Quite so.

5253. I think I am right in saying that in many places the deep channel takes a turn where

Mr. *J. Allan.*
10 May 1870.

there is nothing above water or on the bank to guide a stranger?—Yes, in most places that is the case; the beacons are on the dry land.

5254. But between the beacons there is a tortuous course in deep water?—Yes.

5255. That is to say, the water is not the same depth between the beacons right across, but there is a middle channel?—There is a middle channel for the large ships, and at the sides it is much shallower; there is nothing to indicate to a stranger whether he is in the deep water or not; it is not always in the middle channel, sometimes it is one side and sometimes on the opposite side.

5256. Is it not your opinion that inexperienced men would have great difficulty in passing these crowded river steamers?—That is my opinion.

5257. And, in fact, that it tends very much to the facility of navigation and safety that every ship of different size should have a properly qualified person on board?—No doubt of it.

5258. You consider that not only the pilot board, but the Clyde trustees would be unable to carry out those regulations which they have made for the safety of the general public, if this compulsory system was done away with?—Yes.

5259. You have, I suppose, had some talk with the other shipowners of Glasgow on this subject?—Yes.

5260. Do you confirm Mr. Henderson's views, that generally speaking they are opposed to the abolition of compulsory pilotage?—Yes.

5261. Mr. *Stevenson.*] Do you by your bye-laws compel the licensed masters of the deep-sea steamers, such as the Belfast and Liverpool steamers, to be on the bridge when navigating the channel between Glasgow and Greenock?—Either they or the mate; the mate is licensed also.

5262. You think you secure that every steamer that goes up that river has a licensed man on the bridge?—Every vessel.

5263. Do you license the skippers of the steam lighters, which are so common in the Clyde now?—No, they are all under tonnage.

5264. Under 60 tons?—All under 60 tons.

5265. Are the hopper barges that take the dredging to the deep waters under licensed masters?—Yes.

5266. Is it not the intention of the Clyde trustees to carry the deep water from side to side, instead of leaving only a narrow track?—No, they cannot do that, because when you go too close to the side you will bring down the banks, and the proprietors will not allow them to encroach.

5267. You do not intend to remain satisfied with only 80 feet of channel for large vessels in many parts of the river?—We are not satisfied with it, but I think it will be a long time before we get it much wider, owing to the undermining of the banks.

5268. This 80 feet is sometimes on the one bank, and sometimes on the other?—Yes; we are always gaining more water; but where it is only in the breadth, there is some local obstruction in the way that caused it.

5269. You hope in the future, I presume, to have a much wider length than now exists?—I hope so.

5270. Mr. *Price.*] I think I understood you that the great obstructions to the navigation of the Clyde which render it desirable to have pilots are the dredgers, the diving bells, the hopper barges, and the punts?—No; the passing and repassing of other ships; that is a greater danger still, much greater.

5271. The great loss of life that you apprehend is due to the fact that there are these dredgers and hopper barges?—Partly so, but I think the greater risk is the river steamers. A small steamer, with 500 people on deck, passes so close that they could not stand out of the way, and would be killed before they were drowned. The boat might go down afterwards, but they would be sure to be injured by the vessel; they could not get out of the way. In the summer time, during the excursion season, they are very numerous on board each boat; as close as they can stand.

5272. Are there any authentic charts published of the navigation of the Clyde?—There is an Admiralty Chart, but it is practically of no use for sailing up and down. It is all very well to look at, but the river is so narrow, and the turns so numerous, that you could not follow the chart.

5273. That is your opinion as to the navigation of a tortuous and a narrow channel, of which there is no authentic or useful chart; but that opinion would not hold good as respects the ocean navigation?—No.

5274. Therefore what you say here with respect to the Clyde has no reference to ocean pilotage?—It is to the Clyde only.

5275. Have you any opinion as to the general question involved in this Bill of ocean pilotage?—I think that wherever the navigation is simple there is no necessity for having a compulsory pilotage.

5276. As a general rule you would advocate a non-compulsory system?—Except in exceptional cases like the Clyde.

5277. I say, as a general rule?—Yes.

5278. Therefore the compulsory pilotage should be the exception?—Yes.

5279. Mr. *Grieve.*] I hope you do not concur in the opinion of Mr. Henderson, that the deep-sea pilots of Greenock are a bad lot?—Well, I would not like to say that they are a bad lot, but I should consider that, owing to the nature of their trade, you get as good a class of men as possible, with the exception of one or two, that we all know of. As a general rule they are more channel pilots than deep-sea pilots. I believe I am right in saying that there is no pilot goes outside now to bring in a ship. I do not think such a thing is known as a Greenock pilot going out for a ship; most of them live in Glasgow now.

5280. You say you have been 22 years a member of the pilot board?—Yes.

5281. Has it been your duty to weed out all those bad characters?—I do not say they are bad characters.

5282. You do not concur in that?—No, I do not say that they are bad characters.

5283. "Bad lot," was the expression?—I may explain to you, that in Glasgow we consider the Glasgow pilots more under our charge, and there is a committee at Greenock from the Pilot Board to take charge of the Greenock pilots; and we consider that the responsibility rests with them more than with us.

5284. You are always at the meeting when licenses are renewed yearly?—Generally I am.

5285. You would have an opportunity of objecting?—Well, I do not think there are any complaints

complaints against them; of course if there were I should object to them.

5286. You are the chairman of the committee of management in Glasgow?—Yes.

5287. I believe you were wrong in saying that the Lord Provost was chairman *ex officio*?—Only one year; the Greenock Provost is chairman for the following year.

5288. You are chairman, irrespective of him, of the committee of management?—Yes.

5289. Mr. *Gourley.*] How far does the compulsory pilotage extend down the Clyde?—About 18¾ miles.

5290. It ceases before you get to the sea altogether, does not it?—Yes, it ceases, and it does not cease, as it were. The pilot goes down to the tail of the bank, which I say is the sea, and it is only compulsory above Glasgow to Newark Castle. The lower portion of it is a very difficult portion to navigate; but the pilots, being stationed at Greenock, go on board there, so that we have the benefit of the compulsory pilotage all the way.

5291. Perhaps it cannot be enforced out of what is strictly the river?—No; unless the pilot or the master chooses to say, "I do not want you to take voluntary charge;" but they are all too glad to have them.

5292. Within those limits, is it not rather a harbour master's question than a pilot's question?—No, the harbour master has nothing to do with it.

5293. I mean a question which would rather concern a harbour master's business; that is, of marshalling vessels and regulating the navigation of a narrow channel?—I do not see how a harbour master could possibly do it; harbour masters have enough to do to look aftertheir port.

5294. I do not mean to say that the harbour master of Glasgow ought to do it, but is it not in the nature of a harbour master's duties; are not the dangers of a narrow river those which are rather connected with vessels running against each other than with shoals or difficult navigation?—They are very much concerned with shoals; we have some very dangerous places in the Clyde. The vessels going up and down are sheathed with copper, those going to India, and it is a very serious thing for them to take the ground, because they are very apt to strip their bottom.

5295. If there was no crowd of vessels you would say there would still be danger as to navigation?—Yes, with large vessels.

5296. Have you considered the question of the liability of shipowners in the case of compulsory pilotage being retained or altered, and shipowners being liable, though pilotage was compulsory?—Yes.

5297. What is your opinion upon that?—My opinion is, that in the Clyde we should have a compulsory pilotage, and the liability to remain as it is.

5298. We have evidence at Liverpool that they would rather retain compulsory pilotage and assume the liability than get rid of compulsory pilotage altogether?—So would I; we must have compulsory pilotage, whether it be with or without liability; I think compulsory pilotage cannot be abandoned, or else we might give up our works in the Clyde.

5299. We also have evidence that there was danger to vessels in consequence of this liability of the owner not existing; that the captain did not take sufficient care of the vessel when there was a pilot on board, and, therefore, that it would really be safer for the shipowner, without looking to the question of compulsory or voluntary pilotage at all, that he should assume the liability for all accidents to his vessel with a pilot on board?—Not in the Clyde; the pilot would do as he is doing now; I do not think it would make much difference in the Clyde; the pilot has complete charge now, and I do not see that anybody else could take it; I think, if another man were assisting him, he would do harm instead of good.

5300. You think the captain would not retain the command of his vessel while the pilot was on board?—I do not say that he should not have something to say to it. If it is a steamer, the captain is always on the bridge along with the pilot, and if he saw danger of any ship approaching, he would, no doubt, warn the captain to take care and go cautiously; but that is the extent to which he would go. In a sailing ship the captain generally stands aft in the poop, and gives a general supervision, but the pilot always tells the man at the wheel what he is to do.

5301. You do not think that that law which saddles the pilot with the liability while he is in charge of the vessel does cause the captain to be less careful than he otherwise would be?—No, I do not think it does.

5302. *Chairman.*] In your opinion would it be right or not to throw upon the owner the liability for negligence of the pilot, while he is bound to carry a pilot?—No, I do not think so.

5303. Is that the general opinion of the shipowners of Glasgow?—I think so.

5304. You do not think they would like to see the liability thrown upon the shipowners?—I do not think so, except those little vessels which do not carry a pilot at all. They might be better, and they cannot be worse.

5305. If they were to be bound to carry pilots?—I do not think the shipowners would like to have the law changed.

5306. They have made no complaint of the present system?—None, as far as I am aware.

5307. Do your vessels carry pilots below Greenock?—Never.

5308. You do not feel the necessity for it?—Not at all.

5309. I presume, even if compulsory pilotage were abolished, your vessels would carry pilots in the Clyde?—Yes.

5310. What proportion of the dues does your firm pay?—We pay upwards of 6,000 *l.*

5311. You pay a very considerable proportion?—Yes.

5312. I presume that all the firms of the same nature as yours, of which we have heard there are many, would also take pilots under the voluntary system?—Yes.

5313. In your opinion then there would still be very large employment for pilots under the voluntary system?—There would be to a certain extent, but not to the same extent as now.

5314. What class of persons, in your opinion, would not take pilots?—I think the smaller class of vessels, sailing ships, that probably do not draw above 16 or 18 feet of water; many of them might not take pilots; they might think if they were towed up and down, and followed the steamer, they were all right.

5315. You think a certain number of vessels, being

Mr. *J. Allan.* 10 May 1870.

being towed, would not take pilots?—I think some would not.

5316. From your expression I presume you think the great bulk of vessels would still continue to take pilots?—I think that they ought to do it; whether they would do it, I do not know.

5317. You yourself would do so?—Certainly.

5318. Even for vessels of a small class, if you had any?—We have not any of a very small class.

5319. What is the smallest vessel that you have got?—We have one or two, I think, 500 or 400 tons.

5320. In the case of vessels of that size, should you take pilots?—Yes, certainly.

5321. As a matter of safety?—As a matter of safety.

5322. You think that all prudent owners of vessels of all sizes would take pilots?—I think the owners of vessels belonging to the port would, but I do not think strangers would.

5323. Why not?—Because I do not think that they are aware of the danger of going without pilots.

5324. If they know nothing of the river, do not you think the absence of knowledge would induce them to take pilots?—No; there is a very general opinion amongst that class of shipmasters that if they are towed up and down, and follow the steamer, they do not need a pilot.

5325. Your opinion is this, that vessels that know the port would take pilots, and that vessels who do not know the ports would not take pilots?—They might not.

5326. You seriously think that vessels that did not know the Clyde, would venture up it without taking a pilot?—I think many of them would.

5327. Without knowing anything of the navigation, whether it is difficult or not, they would decline to take a pilot?—I think they might.

5328. Have you any experience of ports where pilotage is voluntary?—None but Greenock.

5329. The navigation of Greenock is exceptionally easy?—Yes.

5330. Have you any experience of ports where the navigation is difficult, and where pilotage is still voluntary?—No.

5331. You do not draw from your experience when you say that vessels not knowing the navigation or how difficult it was, would decline to take pilots?—No, I cannot tell from experience in the Clyde, because until it is tried no one can say with certainty.

5332. If you learnt from places where navigation is difficult and pilotage voluntary that all vessels that did not know the port, and particularly all foreign vessels, do take pilots, would not that alter your opinion very much?—It might to some extent, but the reason why I think they would not do it in the Clyde is, that it is like an inland navigation, and they know that they cannot lose a ship.

5333. Still the navigation is very difficult?—It is.

5334. And there are likely to be very serious accidents?—Such as taking the ground, and obstructing the channel for other ships.

5335. You seriously think that vessels not knowing anything of the port would not take pilots?—I think a great many would not, to save the pilotage.

5336. Mr. *Graves.*] Have you any class of boatmen on the Clyde who act as watermen in assisting vessels up and down?—No.

5337. Is your pilotage charged by foot, or by the tonnage?—Both; the small ships are less per foot than the larger ships.

5338. On what principle is that; is it more troublesome?—The pilotage on the highest class of ships is, I think, 2 *s.* 6 *d.* a ton; I know the smallest pilotage is 6 *s.* and the highest is about 3 *l.* 10 *s.*

5339. When you speak of per ton do you mean the gross tonnage?—The registered tonnage.

5340. Is it the registered tonnage with steamers, or the gross tonnage?—I think it is the registered tonnage.

5341. Is a pilot liable for any amount in case of accident through his default?—His security goes to the extent of 20 *l.*, I think.

5342. Is that the limit of his liability?—I do not know; I never asked a pilot to pay anything.

5343. Would you think it desirable that that liability should be continued?—I think so.

5344. Would you think that his liability might be extended up to 100 *l.*?—Yes, it might.

5345. It might probably tend to make him more careful?—They are very careful; we have a very good opinion of them; I do not think there are many who are much more careful, still it would be another inducement. No doubt the difficulty with some of the men would be that they would not be able to find the security.

5346. Still, as a matter of precaution, you would think it wholesome if it could be fairly carried out?—It might be.

5347. Do you allow a shipowner, desirous of having the services of a particular pilot, to have an option—Yes.

5348. Outwards only?—Outwards only.

5349. Why do you confine it to outwards?—It would not work inwards, because the men are obliged to keep watch at the tail of the bank. They never know how soon a ship is going to arrive, and in consequence they require to have a boat always ready with men in it, and of course the man in turn goes on board the ship. It would be, I think, unfair to make a set of men keep watch all night, and let another man who had been lying in his bed come down and take the ship from them; that is our reason for keeping the regulation as it is now.

5350. So that your system is now what you would call a regulated one, and you could not alter it to give perfect choice, without injuring the efficiency?—I think not.

5351. *Chairman.*] Are you allowed the choice of pilots now, or are you bound to take the particular pilot whose turn it is?—The rule is, if the agent applies for the pilot before he begins to clear the ship out, he may choose his pilot, but if he once goes to the tonnage office to pay his dues, the clerk immediately puts down the first pilot in turn for that ship.

5352. He may have choice if he likes?—He may outwards.

5353. But not inwards?—Not inwards.

5354. You expressed some opinion as to the desirability of extending your limits towards Greenock?—Practically we have it now, but legally we have not. I think the natural place would be from Glasgow to the tail of the bank; and of course, practically, that is so.

5355. Would the Greenock pilots now consider that any injustice were done them if your legal limits were extended to the tail of the bank?—I do

—I do not think it would make any difference to them.

5356. Would the trade, generally, of Glasgow desire that such extension should be made?—I think they would all approve of it.

5357. Do you pay extra for that pilotage, for that extra distance?—No; the rate is from the tail of the bank to Glasgow, and from Glasgow to the tail of the bank.

5358. It is not compulsory?—Up to Newark Castle.

5359. Mr. *Stevenson.*] Practically, it is the tail of the bank?—Yes.

5360. Practically, no use whatever is made of the Parliamentary boundary?—No, not at all.

5361. *Chairman.*] The result is, that if an accident happens between that point and Greenock, the owner is responsible?—Yes.

5362. Whereas, if it occurs in the river above that point, the owner is not responsible, but the pilot is?—Yes, quite so.

5363. That is a very important difference?—Yes.

5364. Do accidents occasionally occur at that point?—They do; not very often, but they do occasionally.

5365. Cases have occurred in which the owner is made responsible for the negligence of the pilot?—I have no doubt, although I cannot recall it to my memory; no doubt it must have occurred.

5366. Mr. *Graves.*] Do the Greenock pilots ever pilot as between the tail of the bank and the Glasgow limits?—Only vessels bound to Port Glasgow.

5367. To that extent an injustice would be done to the Greenock pilots?—No; our pilots do not take ships coming to Port Glasgow at all.

5368. You have heard what Mr. Henderson said with reference to the Mersey?—Yes.

5369. Do you share in that opinion?—I do.

5370. Your trade lies with the Mersey as well as with the Clyde?—A great deal more with the Mersey than with the Clyde, although I am not located there.

5371. You think that also was one of those ports that are best managed under a compulsory system, as at present?—I think so.

5372. I think Captain Ballantine, who came here, was one of your commanders?—Yes.

5373. Your commodore?—Yes, the oldest of the lot.

5374. You must also have had many opportunities of finding out whether there was any strong feeling in favour of this Bill in Glasgow?—I do not think there is; I think I only heard two persons express a feeling in favour of it all the time I was in Glasgow ever since it has been discussed.

5375. Was that connected with any particular trade?—The coasting trade; small vessels.

5376. Did he give you the ground; did he state why he desired to have the Bill passed?—He said it was very hard, that if we damaged his vessel, he had no claim upon us; and that if he damaged ours, we could make him pay. Mr *J. Allan.* 10 May 1870.

5377. *Chairman.*] His reason was grounded mainly on the exemption from liability?—Yes.

5378. Mr. *Graves.*] Did you suggest that that could be met by their being put upon the same footing?—Of course I did. This person will have about 150*l.* a year in saving of pilotage, which is a good fund to meet any item of the kind. I do not suppose that he ever paid 50*l.* in his life for damage.

5379. He does not employ pilots at all?—Yes, he has a certified master, and he pays 26*s.* a year.

5380. He complained of being taxed for the pilotage system of the Clyde?—They are all on the same footing; none of them pay more than that.

5381. Do they make no other contribution towards it?—They pay only 26*s.*

5382. Each time?—No; for the whole year; that is the license fee for the whole year.

5383. Do you mean that the owner of a steamboat having a licensed master only, contributes towards maintaining the pilots' service of the Clyde to the extent of 26*s.* in one year?—Yes.

5384. Is that considered reasonable?—Well, it is the law; he applies for a home-trade certificate, and we give it to him after examining him, and finding that he is qualified to pilot his particular ship.

5385. Suppose his master were ill, and he had to change?—Then he must get a new one.

5386. Suppose, from temporary illness, the master were prevented from going in that ship, and that his successor, at the moment, had not a license, he would have to take a pilot?—Yes.

5387. So that he has the opportunity of demanding a pilot whenever he wants one, but only contributes 26*s.* a year?—Certainly.

5388. Mr. *Stevenson.*] What license fee does the ordinary pilot pay?—The same, 26*s.*

5389. Mr. *Graves.*] Is there any general principle that occurred to you, which might be laid down in this Bill, short of having absolute compulsion or absolute freedom?—I think the only thing that occurred to me is, that every port should be dealt with according to its circumstances.

5390. You mean that where you have a local authority, properly constituted, representing the claims of the port, you would leave that authority the discretion of saying what system of pilotage was best suited to its own wants?—Quite so.

5391. Probably you would go further, and assume that that Board has a deeper interest even than the Legislature has in maintaining an efficient and safe navigation in that port?—Yes.

Mr. JOHN MCKELVIE, called in; and Examined.

5392. Mr. *Malcolm.*] I BELIEVE you are a licensed pilot in the River Clyde?—Yes. Mr. *J. McKelvie.*

5393. You now hold a license from the Clyde Pilot Board?—Yes.

5394. You held a license under the old Act?—Under the old Act of 1825.

5395. How long have you been a licensed pilot?—Twenty years.

5396. You are, of course, thoroughly acquainted with all the difficulties of the navigation?—Yes.

5397. In your experience, has not only the number of ships going up and down the Clyde, but the draught of water, increased very much?—The draught of water has much increased; the size of the ships has increased more than the accommodation we get for them.

5398. Although

Mr. *J. McKelvie.*

10 May 1870.

5398. Although the Clyde is supposed to be much improved now, still the increase of the size of the vessels and their draught of water has more than kept pace with that?—It has.

5399. What is the depth of water to which you can take a vessel up and down now?—At the spring tide we take about 21 feet and 21½ feet, steamers and sailing ships too.

5400. That does not leave much to spare between you and the bottom?—No, nothing to spare.

5401. If the slightest thing goes wrong you cannot get down on the tide?—If the least thing puts us out of our channel we are done, we cannot get down that tide.

5402. The ship takes the ground?—Yes.

5403. And is liable, of course, to all sorts of straining?—She may be.

5404. In addition to that, a large vessel taking the ground interferes very much with the general navigation of the other vessels?—If she happens to get anywhere across it stops the passage altogether.

5405. We have heard something of the narrowness of the deep-water channel; in some places, without her getting across, it would almost stop the navigation?—In some places it would very nearly stop it altogether. There is a place pretty near to Glasgow, and another place lower down, where it is very narrow.

5406. Did not Messrs. Handyside and Henderson take out licenses for their masters at one time?—Yes.

5407. They found after all it was better to go back to the old pilots?—They found out that masters coming in in the night time had not the local knowledge as to what state the river was in, and that not having that it was dangerous for them to proceed.

5408. They gradually allowed them all to lapse?—Yes.

5409. The pilotage charges, I believe, are considered very moderate?—Very moderate.

5410. I believe you took down one of Her Majesty's ships, the "Fox," last year?—Yes, last winter twelvemonth, in the morning, early before daylight, I went down with Her Majesty's ship "Fox," with 19 feet of water. The commander, on the way down, several times interrupted, and said, "Pilot where are you going? you are going into the land; I cannot see where we are going." I said "All right, you will see by-and-bye." When we came down to Greenock it began to get daylight. He said, "I don't know how you can manage in the Clyde with large ships; I expected to see that I was going into the land now and again." "Well," I said, "it is the local knowledge we have of the turns, and that enables us to get on as we do."

5411. In fact, it was your local knowledge of the deep-water channel which compelled you now and again to turn the vessel in such a way that he thought he was going ashore?—Yes.

5412. You find, when you are piloting, that it is much easier for you to pass a vessel in these narrow places when you are sure that she has got a pilot on board as well; you know how he will act?—We know one another's ways, and try to keep clear of one another, and allow one another the best advantage we can.

5413. Of course you go to what one may call a foot or two?—Yes; many times we are obliged to do it.

5414. I believe your licenses are renewed every year?—Every year.

5415. An honourable Member has asked some questions about the possibility of going up the Clyde by means of a chart; I suppose you would be of opinion that, considering the length of the vessel, and the length of some of the reaches, you would be aground before you could look at your chart?—He has no time to look at his chart, because by the time he has put his helm hard-a-port one way, he has to put it hard-a-starboard the other way.

5416. As a general rule do you give the orders to the captain, or direct to the man at the wheel?—I give orders direct to the man at the wheel.

5417. The captain merely assists in seeing that your orders are promptly and properly carried out?—That is so, and he stands by while I am there.

5418. Of course a captain will give you every information as to whether a vessel steers properly; whether she carries the helm more one way than the other?—Yes; we get the information which way she requires the most helm from the captain.

5419. You get that before you start?—Yes.

5420. And also whether she stops quickly?—Yes.

5421. You have heard what Mr. Allan and Mr. Henderson have said to-day?—Yes.

5422. You confirm all that you have heard them say as far as your experience goes?—As far as my experience goes regarding the Clyde.

5423. Do you think it quite impossible, as you have heard them say, that any stranger could navigate a vessel up the Clyde without causing danger to the people employed on the banks by the Clyde Commissioners?—It is quite impossible for any stranger to navigate a large ship up the Clyde, because he could not practically do it.

5424. It is not so much the danger he would get into; he would not injure himself so much as he would be likely to injure other people?—Yes.

5425. He could not sink very far where there was so little water?—No.

5426. *Chairman.*] You said that you thought it would be quite impossible for any stranger to enter the Clyde without a pilot?—Quite impossible, in the case of the River Clyde, to navigate safely.

5427. May I also ask whether, in your opinion, vessels will continue to have pilots even after the Bill has passed?—In my opinion, a good many of them would not, because I have had experience of it, where strangers come in that know nothing about the Clyde, thinking it all safe because there is a tug ahead of them.

5428. Going up the Clyde?—Yes.

5429. When was that?—Of late, and for a good many years past.

5430. Was that before they were bound to carry pilots?—When they were bound. They have told me so; I give you to understand that they told me so; that they themselves told me they were quite safe, because they had a tug ahead of them.

5431. They thought, because they had a tug ahead of them, it was unnecessary for them to carry a pilot?—Yes.

5432. Have you any experience of places where pilotage is voluntary?—No.

5433. And

5433. And where the navigation is difficult?—No.

5434. You do not know to what extent pilots are there used?—No.

5435. You are not aware, therefore, whether, in cases of vessels being towed by tugs, they still continue to take pilots or not?—I am not aware of it.

Mr. *J. McKelvie.*

10 May 1870.

Mr. ALEXANDER ALEXANDER, called in; and Examined.

Mr. *A. Alexander.*

5436. Mr. *Malcolm.*] I BELIEVE you are a Clyde Pilot?—Yes.

5437. You have been a pilot on the Clyde for 20 years?—Yes, and I have been working on the Clyde since before any improvement was made in it.

5438. You are well acquainted with it?—Yes, for two years before the deepening machines commenced.

5439. You confirm what Mr. McKelvie says, that the size of the vessels has increased faster than the improvements of the river?—Yes; when I went first it was enough for me to get down my vessel, drawing 6½ feet, and I, perhaps, would be a week about it.

5440. Now, I suppose, you take down something a good deal bigger, and are not so long about it?—I have taken the largest ships in the Clyde, for Her Majesty's service; I took one down, drawing 21½ feet, in two hours and twenty minutes, to Port Glasgow.

5441. What ship was that?—That was not for Her Majesty's service; it was for the Turkish Government, the "Aziz."

5442. You got her down to Port Glasgow in two hours and twenty minutes?—Yes, with five steamers and her own steam.

5443. I believe you took down a very large steamer last month, did you not?—Yes; the largest steamer of the kind that has been ever built upon the Clyde; she was for an American company and a London company too, I believe, for China; 70 feet beam over the paddle-boxes, and 280 feet long.

5444. How long did it take you to get her down?—I had her own steam, and two tugs, and I took her down in about 2¼ hours.

5445. Such is the difficulty of the navigation, that you consider it necessary to have two tugs, in addition to the vessel's own steam?—Yes, all large steamers have two additional tugs; as to the vessel that Mr. Henderson spoke of, that grounded across the river; it happened to be on the Sabbath Day, and it is not the practice in the north to work on the Sunday with tug steamers; it was upon that account, and being a neap tide, that she grounded across the river; for when she grounded they had no steam, to keep ahead of her, to hold her head up; and in the second place, they had no way of running an anchor out. Had it been on a weekday she would not have grounded there, and closed the river.

5446. Are not there often great difficulties in launching from the shipyards?—Yes.

5447. I think vessels sometimes create difficulties by sticking there?—Yes; I have seen vessels stuck; one of the London and Glasgow (Limited) Company's steamers almost closed the river; there was just a passage for two days, for one single vessel at a time; no large vessel could pass.

5448. Under these circumstances you consider it impossible that any man not locally acquainted with the river could carry on the trade of the river?—I consider it impossible to do so; and besides that, we being so particularly acquainted locally, carry on a great trade at night; one-third of our trade is done at night.

5449. You are obliged to take each tide, whether it is day or night?—Yes, or the trade could not be carried on.

5450. Of course, if any accident happens, you have the means of communicating very quickly to the other pilots to tell them exactly where it is?—Yes; we always communicate by telegraph if there is any danger in the river, so that they will not go up until that danger is removed. We always send a letter by post or by a steamer if a small steamer can go down.

5451. You think that, considering the number of small passenger steamers that are now running in point of fact in opposition to the railway, any person not particularly acquainted with the river, being in charge of them, would lead to great risk of life, if not to loss of life.

5452. As you are one of the most experienced pilots on the Clyde, I should like you to put in the names of some ships that you have brought down; there was the "Audacious," of 4,600 tons, and the "Invincible," of the same size?—Yes; that was last year.

5453. You also assisted in bringing down the "Black Prince"?—Yes.

5454. You told us of the Turkish rams, and you also took down the Danish rams?—Yes.

5455. Did you ever take down any vessel for Elder & Co.?—Yes; they are largely interested in that trade. I was an up-pilot for one of Her Majesty's ships with the machinery for Mr. Napier of the "Hector." The captain in command said to me, "Well, pilot, your place is well buoyed; I do not see that there is much difficulty in taking a steamer up or down." I said, "Well, I will just allow you for 10 minutes to take the management yourself, and if I see you going wrong, I will check you. I will not allow you to put the ship on shore." In about five minutes he said, "Pilot, take the charge."

5456. Mr. *Price.*] You have told us, or at least we have heard, of the men-of-war and merchant ships which you have taken safely down the Clyde; you say you do not think they could have been taken down in safety, except under the charge of a pilot?—The ship is the shipbuilder's until once she is out at the tail of the bank, and he will not have any person but that person who is most particularly acquainted locally.

5457. If this shipbuilder is so very careful, why should not the ordinary shipowner be equally careful?—They are careful in all cases, which is perhaps in regard to the smallness. These ships are very large; they say, "My captain is sailing up and down here pretty often, and he has got pretty good experience of it, and he is quite able to take down his own ship now." If he goes to the Pilot Board and passes an examination, he being a regular trader from port to port, such as Liverpool, Belfast, or any other port on the coast, not being foreign going, he gets a certificate to sail his own vessel, and he is charged

Mr. *A. Alexander.*

10 May 1870.

1 *l.* 6 *s.* a year, and he generally licenses his mate as well.

5458. Supposing a shipmaster goes with his vessel to Greenock, and desires to go to Glasgow, who has not a license, and has never seen the river before, do not you think his sense of the dangers of the navigation would induce him to take a pilot, even when not compelled to do so?—By reducing our staff to one-half, we might find work in that way, but we never could act under any other form of government.

5459. It is not a question of finding work for the pilots; that is not the object of keeping up compulsory pilotage, is it; is that your view of the case?—No; but still we being on the station, would not be able to attend to the stations if we were not getting a remuneration.

5460. I do not suppose you would, but you have not shown me yet how you would fail to get your remuneration. If the necessity of a pilot for the safe navigation of the Clyde is so obvious, why should not the shipmasters see it as well as the pilots?—I do not think it is the shipmasters at all, it is the owner's interest.

5461. Why should not the shipowner see it, the ship belongs to him, and if there is a great danger, he has to run the risk, has he not?—In a comparative view he has to run the risk to his tug, not a very great risk; it is a very rare thing that ever there is damage to the amount of 5 *l.* done in a week.

5462. Very likely; but if the shipowner thought you took a very great risk off him, do not you think he would apply to you to come to his aid?—Yes; but he would not find us, because we have all been masters in our time of sailing ships and screw steamers, and if we could not find remuneration we should then have to return back to the old system.

5463. That is perfectly natural; what I do not see is, why you would not find the remuneration, because that is what you have not yet told us?—I am aware that a few would.

5464. Why should not all?—I am perfectly sure that all would not; there would not be employment for all; there might be a dozen vessels going up in a week that would not have a pilot at all; they would have their option to choose a pilot. I have been a week on the Greenock station and never a vessel arrived, but I got my turn when it came in.

5465. Suppose the difficulty to be as great as you say it is, if shipmasters were to try to take their ships up alone and unaided, I suppose they would meet with accidents?—There is no doubt of it.

5466. These accidents would probably deter other people from running a similar risk, would they not?—They would in a great measure, no doubt.

5467. What is it you are afraid of; I do not understand what makes you so chicken-hearted?—This is an inland navigation, and you require to teach a complete set of new men into the nature of it before it could be accomplished.

5468. Before what could be accomplished?—I am quite sure that every man on the station at the present time if he were not paid to attend there, would have to leave and go to some other employment.

5469. You mean you would all of you strike?—I think we would all strike at once.

5470. Have you ever had any experience of places where pilotage was not compulsory?—Yes.

5471. Where?—On the Wear, on the Tyne, on the Humber, and in Liverpool, I have sailed vessels of under 100 tons there.

5472. Take the Tyne and the Wear, you say that pilotage is not compulsory there?—No.

5473. Are there any pilots there?—Yes; there are plenty of pilots if it is fine weather.

5474. They have not struck?—Look at the great trade there is there; and there are not so many pilots to compete. Then there is a fishing ground, and they make their money in other ways.

5475. Have not you got a good trade, too?—Not that would employ all the pilots at our station.

5476. Have you no fishing on your coast at all?—You might fish a day and not make your breakfast.

5477. How does it make their breakfast on the Tyne and the Wear?—Because they go far out to sea.

5478. At all events, there is no great dearth or scarcity of pilots on the Wear and the Tyne?—Every man, even, I think, the fisherman, is allowed to pilot ships when they see them coming with a flag up, even supposing it is a steamer.

5479. The present system is good enough for you?—I should wish to keep it as it is, because it is quite local.

5480. That is the reason why you are in favour of compulsory pilotage?—Yes. If I go through the Caledonian Canal, and I have been in the habit of going through that way before, I can take my own vessel there; but if I have not been there more than once, the Government forces a pilot upon me to take that vessel through; one of their local pilots.

5481. Is not that on account of the risk you might run of damaging the works on the canal?—I think so.

5482. It is not from any danger of the navigation, but from the danger of injuring the bridges and the walls, and so on?—Yes.

5483. If you have been there once you are allowed to go afterwards?—Yes.

5484. Do not you think if a man has been once up the Clyde he might be allowed to go again?—No; he might go 50 times up the Clyde and not be able to take a vessel of six feet of water. There is so much work done at night, you require to know the bearings of the lights and beacons; and it is by local knowledge and long practice that we do know; and it is with great difficulty that we get along.

5485. Do you think any shipmaster would venture to go up the river at night without a pilot?—He would have to wait till day, and that would stop the trade.

5486. Do not you think he would take a pilot?—Then there would be no pilots.

5487. You mean there would not be any pilots when you had struck?—No.

5488. Supposing you struck, do you think other people would not come in your place; because that often happens when men strike?—We had one the other day in Glasgow, and there was a meeting held about it, and the whole of the men were taken back again.

5489. Supposing all the Clyde pilots were to strike to-morrow, do not you think there would be plenty of men come forward the next day?—They would have to come and be taught.

5490. *Chairman.*]

5490. *Chairman.*] We have been told that there are 132 masters of river steamers or coasters licensed to act as pilots?—Yes.

5491. I presume, therefore, that all the river steamers have masters who are licensed pilots?—Yes, and their steersmen as well.

5492. They generally take two pilots in that way?—Yes, master and steersman; when the master goes to collect the fares, the steersman takes the bridge.

5493. In fact, all the river steamers are practically exempt from compulsory pilotage, through having their masters licensed?—They are only obliged to take that license out for the master and mate, which costs them 1*l.* 6*s.* each.

5494. There is no case of a river vessel being compelled to carry a pilot; they all have these licensed masters?—Supposing the master of one of these steamers goes on shore, or is unwell, and cannot go down with his own steamer, they send to our office direct, and a pilot is appointed; the first man in turn is appointed to go with that steamer.

5495. As long as the master is well they do not want a pilot?—They do not want a compulsory pilot on board.

5496. I presume that the owners of these vessels only employ men that are competent?—They are men brought up from their infancy to it.

5497. There must be a large number of men on the Clyde who are thoroughly competent, and who know the pilotage besides the pilots?—Yes.

5498. There are 32 licensed pilots, and 132 masters of vessels who are qualified to act as pilots?—Yes.

5499. So that besides the licensed pilots, there is a very large body of men who know the river?—Yes; but perhaps they know nothing at all about a large screw steamer, or a large sailing ship.

5500. They do not know how to navigate a large vessel, but they know the dangers of the navigation of the Clyde?—Quite so; and then they are not allowed to navigate any vessel but the one on board of which they sail.

5501. They know the condition of the navigation, and they know the danger of it?—Yes.

5502. They know the shoals and the buoys, and everything about it?—Yes.

5503. Do I understand you to say that the shipbuilders when they send their vessels down after being built, are not bound to take pilots?—They are all bound to take pilots; every one.

5504. Even though the vessel has not got her masts in?—Yes, every one is bound to take a pilot; every vessel, whatever she may be, if they have not got a license; every vessel above 50 tons.

5505. I mean one of those large vessels which have just been launched, which is being sent down the river in charge of a tug, but without its masts on board; is it bound to carry a pilot?—Yes; it is more with regard to any stranger coming and saying they would follow the tug. The tug-steamers commence work upon the Sunday night; they go down to their vessel, and have all ready to start by 12, and they start at 12 o'clock. Perhaps they never stop their engine going up and down the river till the next Saturday night; and instead of the masters taking charge of the vessel behind them, we have to guide them, and call to them, perhaps a dozen times on the road from Glasgow to Greenock, and wake them up; they will be quite asleep.

5506. It is a general rule with regard to tugs, that they receive orders from the vessel; from the pilot if there is a pilot, and if there is no pilot, from the master; and it is not the tug that gives the direction?—Both tugs and sailing vessels.

5507. The tug receives the direction from the vessel, and not the vessel from the tug?—That is the way.

5508. Do you agree with the preceding witnesses that the pilotage, below Greenock, is exceedingly easy?—Yes; I have laid down every buoy, and everything connected with every shoal for 12 years, when I was working with my own vessel, and there is only one shoal after passing the tail of the bank. It only extends to the top of the sandbank, and it is only 12 feet by 9 feet, by 5 feet.

5509. With that exception there is really no danger at all?—No; there is too much water, if anything.

5510. Any vessel can go up to Greenock without the slightest difficulty?—Yes.

5511. Notwithstanding that, I think we were told there were 16 pilots?—There are 14, I think; but then they are not employed.

5512. What class of vessels do employ these pilots?—Steamers and new ships going out from Greenock.

5513. And foreign vessels?—All foreign vessels take them down as far as Cork or Waterford. There is not one foreign vessel goes away, but takes them down, perhaps, as far as Cork or Waterford.

5514. In your experience, not a single foreign vessel goes away from Greenock without taking a pilot as far as Cork or Waterford?—There may be exceptions.

5515. They take pilots as far as that?—Yes.

5516. When they come inwards, where do they take their pilots?—If they call at Cork, they take a pilot from Cork to the tail of the bank.

5517. But if they do not call at Cork?—They must call at Cork or Falmouth for orders.

5518. I suppose some do not?—They must have been in the Clyde before, because there is no pilot stationed out from the Greenock District Board upon the coast anywhere.

5519. I understand that all foreign vessels that call at Cork or Falmouth for orders would take a pilot there, and come up the Clyde?—Yes.

5520. When they get to Greenock, they are then compelled to take a river pilot?—Yes.

5521. Have you any doubt as to whether these vessels would take a pilot if this Bill passed, and if pilotage were voluntary?—If they have been in the Clyde many times, as many of them have been, they might go up without, and run the risk.

5522. I understand you to say that they all now take pilots at Cork or Falmouth?—Yes, to the tail of the bank.

5523. Would not the same reasons which caused them to take pilots at Cork or Falmouth cause them also to take pilots at Greenock to go up to Glasgow?—I could not say for that.

5524. Do not you think it is probable that they all would?—No, I could not say in regard to that, because they would think it is all the same. They would say, "Now, I have got my steam up, and will follow the steamer."

Mr. *A. Alexander.*

10 May 1870.

5525. In your opinion, then, the difficulty begins at Greenock?—The difficulty begins at Greenock.

5526. Is it not more certain that they would want a pilot where the difficulties began than from Cork to Greenock, where, according to you, there are no difficulties?—Some of them that have been up before; or perhaps a stranger, would think there was plenty of breadth of river.

5527. If they have been up before, they have been from Cork to Greenock before; if they take a pilot to go that voyage, would not they also take a pilot to go from Greenock to Glasgow?—I do not say they would. They would say, "There is no danger in the river here, because we see it is broad up to Dumbarton at high-water."

5528. What are the pilots they take from Greenock as far as Cork, are they mostly Greenock pilots, or do they take the same men back as they brought up?—The men generally come back by steamer or by rail.

5529. They take Greenock pilots from Greenock to Cork outwards?—Yes.

5530. And they take Cork pilots coming inwards?—Yes.

5531. These men go back again by steamer or by land?—Yes.

5532. Mr. *Malcolm.*] These pilots of which the Chairman has been talking, are practically channel pilots, not Clyde pilots at all?—Yes. They have generally been old ship masters, and are well acquainted with the coast, and with all the harbours of the coast.

5533. There is another reason why a man might take a pilot outside and not inside, because if he did come to grief going up the Clyde, if it were a large ship in all probability none of them would lose their lives; he might do a little damage, but that would be all; it would be a very different thing to be lost off Ailsa Crag, or something of that sort?—Yes.

5534. *Chairman.*] You do not think it has regard to the vessel, but to the safety of the lives?—In going down, if they do not take steam, these pilots run them into different ports where they are like estuaries, and they are good harbours, not like in the English Channel, but good harbours, and you can run in if you have a local knowledge at all of these harbours.

5535. I understand you distinctly to say that all foreign vessels leaving the Clyde take pilots from Greenock outwards, very often as far as Cork and Falmouth?—Yes; the Greenock pilots could not live if it were not for that.

5536. In fact, they are men whose employment arises from foreign vessels?—Yes.

Wednesday, 11*th May* 1870.

MEMBERS PRESENT:

Mr. Cave.	Mr. Phillip Wykeham Martin.
Mr. Graves.	Mr. Norwood.
Mr. Grieve.	Mr. Pemberton.
Mr. John Stewart Hardy.	Mr. William Philip Price.
Mr. Shaw Lefevre.	Mr. Charles Turner.
Mr. Malcolm.	Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., IN THE CHAIR.

Mr. ANTHONY BANNISTER, called in; and Examined.

5537. Mr. *Norwood.*] YOU are an Alderman and ex-Mayor of Hull?—Yes.

5538. And I believe you are also a justice of the peace for the borough of Hull?—Yes.

5539. You have been a merchant and shipowner there for many years, have you not?—Yes.

5540. Have you been chairman of the Humber Pilotage Commissioners for about 20 years?—Yes.

5541. I believe the system of pilotage in Hull was formed by an Act passed in the beginning of the reign of William the Fourth, in 1832?—Yes.

5542. Is the Trinity House at Hull the licensing body, and do they examine the men, and make them pilots when they are satisfied as to their qualifications?—Yes.

5543. After they have done so, I believe the control of the pilotage is vested in a body called Commissioners, and that body consists of representatives from the Trinity House, the Hull Corporation, and the merchants, and shipowners?—Yes.

5544. It is completely a representative body; the mercantile interest nominate a very large proportion of that body, do they not?—Yes; very large.

5545. In point of fact, every merchant and shipowner of importance at Hull has a seat at that board, has he not?—Yes; if he chooses to accept it.

5546. How many pilots have you at Hull?—Sixty-eight or 70 is our limit. We have 68 at the present moment.

5547. How many pilots boats have you?—Seven.

5548. Have you with you a chart of the river?—Yes (*handing the same to the Committee*).

5549. The pilotage limits of the port at Hull are bounded, I believe, on the north by Dimlington, and on the south by Donna Nook, and the average distance over which a vessel would be piloted from the extreme limits, would be about 25 miles to the Port of Hull?—A little more.

5550. The Commissioners have the entire control of the pilots, and they receive and investigate all complaints made against them, do they not?—They do.

5551. And when you have a complaint properly lodged, do you investigate it?—Yes, immediately.

5552. Do you occasionally punish pilots when you find it necessary so to do?—If we find it necessary, we punish them very severely.

5553. I believe in certain cases you suspend them from their work, and you report them to the Trinity House, and the Trinity House have power to break them if they see sufficient cause?—If we see that the case is a bad one, and we think the man ought to be cashiered, we report the case to the Trinity Board, and they always act upon our report.

5554. They have representatives upon your board, and they know what passes?—Yes.

5555. The Hull pilotage system gives great satisfaction, does it not?—I believe it does.

5556. Complaints are rare?—Very rare.

5557. Is the control of the pilots vested in a commodore, who is your chief officer?—Yes.

5558. And you have an office, and a clerk always in the office, to conduct your business?—Yes.

5559. And you meet regularly, do you not?—Yes, the first Thursday in every month.

5560. Will you explain to the Committee your system with regard to the supply of pilots; you have seven boats, I believe?—Yes.

5561. And you keep three of them always outside?—Always.

5562. Have you one cruising about your north limit, one cruising off the south limit, and one cruising off the mouth of the Humber, about mid-channel?—Yes.

5563. So that vessels are always sure to fall in with a pilot; with a pilot boat?—Yes; and we have one in the dock at Grimsby with 10 men on board, always ready.

5564. So that if you have an easterly wind, you have the means of providing an extra number of pilots?—Yes.

5565. I believe each of the boats is under the command of an experienced pilot, whom you call the master?—Yes.

5566. Are there three apprentices on board each

Mr. *A. Bannister.*
11 May 1870.

Mr. *A. Bannister.*

11 May 1870.

each boat who are learning the business of a pilot?—Yes.

5567. You bind your apprentices for five or seven years, do you not?—Yes.

5568. And they are provisioned and paid for out of the pilot's earnings?—Yes.

5569. The Trinity House at Hull has a very excellent school, has it not?—I believe it is said to be the best school in the country for teaching boys to be brought up as sailors.

5570. Do they teach them navigation?—Yes.

5571. And their examination is high, as regards mathematics, is it not?—Yes.

5572. Your practice is to take your apprentices from that school?—Yes.

5573. And that ensures you a rather superior class of men, does it not?—It does; they are brought up from boys of 10 years of age to a seafaring life; they have a vessel fitted up in the yard, and they teach them all the arts and mysteries of navigation.

5574. Is not the navigation of the Humber intricate and very full of sand banks?—Yes.

5575. In point of fact, the Humber is the great outfall of the drainage of the middle of England?—Yes.

5576. The drainage of the Midland Counties falls by means of the Trent, and the Ouse and their tributaries into the Humber, and there is a vast amount of deposit held in suspense in the Humber, and that influences the navigation, and forms banks, and so on, does it not?—Yes.

5577. It is the case, is it not, that these banks vary very considerably?—They do.

5578. Does that happen after a gale of wind —Yes; or heavy freshes.

5579. The position of the banks changes, and the draught of water over the banks varies very considerably?—Yes.

5580. So that their position in one week may not be the same in the succeeding one?—That very often happens.

5581. There is a very heavy tide entering the Humber, is there not?—Yes.

5582. Your spring tides rise 25 feet, I believe? —Yes, and rather more sometimes.

5583. Have you perused the Bill which this Committee is now examining into?—Yes.

5584. What is your opinion with regard to the working of that Bill, as far as the port of Hull is concerned; do you think that the navigation is of a nature that would render it safe to allow shipmasters to navigate their vessels themselves, without assistance?—I think no man ought to navigate his ship up the river unless he is duly qualified and passed by the Trinity Board.

5585. It is anything but an easy navigation to strangers?—It is a very difficult navigation to strangers.

5586. Do you think that strangers who were unacquainted with the river would run very considerable risk and hazard in bringing up vessels without assistance?—I think so.

5587. You have rather a decided opinion, I believe, as to the effect it would have upon the efficiency of the service, if the provisions of the Bill were carried out?—Yes, I think it would be very detrimental to the service, and, in fact, it would almost annihilate it.

5588. At the present time is not your pilotage compulsory, with these exceptions: the Trinity House license every master and mate belonging to the port?—Yes; and foreigners as well, to the number of about 200.

5589. I have the number in the return here; the number of masters in 1869 appears to be 248, and mates 35?—I believe that is correct.

5590. And those certificates are very freely granted, are they not?—Yes.

5591. Have you ever heard any complaints?— I have never heard a complaint where a man has been refused, if he is competent.

5592. Mr. *W. Martin.*] Are the certificates granted for only one vessel?—He passes for an owner's ship; if he wants to leave one ship for another, belonging to the same owner, he asks the Trinity House, and it is granted at once.

5593. Mr. *Norwood.*] I believe your other exemptions are coasters and foreign vessels of a very light draught of water?—Yes; five or six feet.

5594. And if towed by steam, there is a reduction of one-third, I believe?—Yes.

5595. I presume the argument in favour of that is, that coasters are constantly in and out of the port. They have an opportunity of becoming acquainted with the river, and these very small vessels run less risk than the larger ones from the sandbanks, and they cannot well afford to pay the dues?—No.

5596. Can you give any information as to the average earnings of the pilots in the years 1865, 1866, 1867, 1868, and 1869?—The average earnings in 1865, were 154*l.* 6*s.*; in 1866, 157*l.* 5*s.* 9*d.*; in 1867, 136*l.* 5*s.* 10*d.*; in 1868, 153*l.* 8*s.* 1*d.*; and in 1869, 142*l.* 17*s.* 8*d.*; making an average of 148*l.* 16*s.* 8*d.* over five years.

5597. In your opinion, is that too much for responsible respectable men to earn?—Certainly not.

5598. Of course, in winter time, in bad weather, it is not a very pleasant occupation being outside the Humber, with a north-easterly gale for instance?—It is a very dangerous occupation, and we have had pilots constantly drowned.

5599. Are you of opinion that, if the principle of the Bill passed as respects the Humber, you would have the greatest possible difficulty in getting pilots to face that bad weather in the winter time?—I do not think it is likely, and I do not think they would face it if they were not compelled.

5600. And if they were not outside they could not render efficient assistance to the ships approaching the port?—If they were not outside, they could not get outside with the wind at north-east.

5601. Is there not a very awkward spot just outside the Spurn called the Stoney Binks?— Yes, it is here (*pointing to the map*); in fact, the light ship which was placed outside is to help the ships coming from the northwards; they just clear the light, and leave it on the right hand, before they come into port.

5602. It is a very dangerous spot, from the large banks, and when vessels get on there in bad weather they very seldom come off?—It is a case with them when they get there.

5603. Is it not the case that a considerable number of vessels, especially light colliers, get ashore, on the southern shore of the Humber? —Between Donna Nook and Spurn Point; we had a very large iron ship got across there, and she was totally lost.

5604. May I take it from you, that it is impossible to maintain an efficient service without you have

have pilot boats, properly equipped, cruising outside the Humber?—That is my opinion.

5605. Do you object to the Bill, as far as it applies to the Humber?—Yes.

5606. Do you consider that the pilotage is very well managed, that there are no complaints; and do you think that the pilotage board, as now constituted, represents all the interests, and is perfectly capable of protecting all interests?—Yes; there was a meeting of the Commissioners, held not long ago, and they unanimously agreed to oppose this Bill.

5607. Do you, in point of fact, come here as the chairman of the board, to ask the Committee to except the Humber from the operation of the Bill?—Yes; we say that nobody wants it altered, and we cannot see why it should be altered.

5608. With regard to the clauses, as to compensation; supposing the principle of the Bill is approved by the Committee, are you of opinion that they are satisfactory?—No, I think they are not satisfactory; I think it should be left to the local authorities to settle the question as to what compensation should be paid; it is impossible that strangers can tell what compensation is due to the men.

5609. Supposing the present system was altered, and the employment for pilots fell off, and you had to reduce the number of pilots, do you not think there ought to be some fixed basis upon which the men, whom you put upon one side, should be indemnified?—Yes; I think we should take the Government view of the matter, and give them 10 years, the same as the Government gave us for our double dues; we lost 12,000 *l.* in differential rates; they gave us 10 years, and I think they should take the pilotage rates over the same period.

5610. The Bill does not make provision for compensating your staff say, the commodore does it?—No.

5611. Are the commodores generally selected from the most experienced and able of the old shipmasters of the port?—Yes; by the general body of Commissioners.

5612. In point of fact, the commodore is the best master you can find suitable for the post?—No doubt that is so; the Commissioners have no interest in it, and it is their interest to get the best men.

5613. Does any one connected with your Board of Commissioners receive any salary whatever, or is it a gratuitous board?—It is a gratuitous board; we give our services without money.

5614. The expenses of the Commission, I believe, are defrayed by levying 2½ per cent. upon the gross pilotage earnings, and you also get a trifle upon the ballast furnished to the ships in the port?—Yes.

5615. Out of the total sum of 425 *l.* 12 *s.* 3 *d.*, I believe you pay for salaries 310 *l.*; for relief of superannuation pilotage, 98 *l.* 10 *s.*; for relief of pilots' widows, 127 *l.* 13 *s.*; and the balance goes for incidental expenses, coals, gas, &c.?—It is somewhere thereabouts.

5616. Mr. *C. Turner.*] You are a very old inhabitant of the town, are you not;—I was born in the town 55 years ago.

5617. Did you hear the evidence given with respect to the port of Liverpool?—Only a part of it; I was present in the room when part of it was given.

5618. Do you think that the approach to Hull is equally dangerous with that of Liverpool?—I would rather answer for my own port.

5619. As regards the port of Hull, do you think compulsory pilotage very desirable?—I think so.

5620. In case compulsory pilotage was done away with, is it your fear that you would not have as efficient a class of pilots?—It is.

5621. Do you think that under the voluntary system, you would not have a class of men whom you could put so much confidence in, as you do in the pilots, under the compulsory system?—Yes.

5622. Is that the opinion of gentlemen in Hull who have had great experience, and who know the port well?—Everybody whom I have consulted thinks the service perfectly efficient, and they are well satisfied to let it alone. I believe the Chamber of Commerce passed a resolution unanimously to that effect, not many days ago.

5623. Mr. *Grieve.*] How far north down the river from Hull does the pilotage extend?—Twenty-two miles up the river, beyond which it goes 22 miles further, that is the Goole pilotage; from Hull to Goole there are branch pilots; it is 22 miles up to Hull from Spurn.

5624. Is the rate of pilotage moderate?—It is very moderate, 5 *s.* a foot coming 12 or 13 miles from the sea up to Hull.

5625. Does the trade complain of the rate?—No.

5626. Sir *C. Wingfield.*] You say that the navigation of the Humber is very difficult?—Yes.

5627. Supposing pilotage was entirely voluntary, so that masters might employ pilots or not, would not the very circumstance of the difficulty of the navigation make them employ pilots?—It would depend upon the owner a great deal, the masters themselves would like to adopt that course, but economy is the order of the day, and it might have an effect otherwise.

5628. Do you think that owners of vessels would imperil their safety by not employing pilots?—I hope not; but at the same time I think it would not be wise that they should do so; an owner might order his captain to come up without a pilot.

5629. Are you aware that in the Thames, where pilotage is voluntary, nearly all of the vessels take pilots?—When I was a steam-boat owner, trading between London and Hull twice a week, I know we were always bound to take a pilot; and we had two pilots ourselves, and the men waited at Gravesend to pilot the boats up the Thames.

5630. That is now altered, is it not; all vessels north of Boulogne are exempt from pilotage?—Yes, but they still take watermen.

5631. Does not that show you, that whether you make pilotage compulsory or leave it voluntary, where the navigation is difficult they will take pilots?—I do not think the Thames is so difficult as the Humber; I know something of the Thames, and I could take a vessel up the Thames, and up the Humber.

5632. Is there any anchorage outside the Humber?—With a north-east wind there is no anchorage; the ships are obliged to run into the river. I have seen as many as 300 sail laying between Spurn Point and White Booth Roads.

5633. It is in that that the difference between the Humber and the Thames lies; the channel of the Thames is pronounced by some very compe-

Mr. *A. Bannister.* —— 11 May 1870.

tent people (Sir Frederick Arrow, for instance), to be as difficult as any channel that he knows; but there is anchorage in the Thames, and you say that there is not any in the Humber?—The Thames is much narrower in some parts; in some parts of the River Humber it is six miles across.

5634. Is not your objection to the present Bill, that you think, under the voluntary system, there would not be the same employment for pilots?—Yes.

5635. And, consequently, you think the pilots would fall off in efficiency?—I think so; there would be no inducement for a man to be a pilot.

5636. Do you think, if it could be established to your satisfaction that vessels would still continue to employ pilots, and that therefore pilots would be as numerous and efficient as at present, that your objection to the voluntary system would disappear?—I could not be made to believe such a thing; it is not possible in the Humber.

5637. Mr. *Cave.*] The bank shifts very much, does it not, about the Spurn?—Yes.

5638. And there is a good deal of destruction of shore there?—Yes; but the Government have now taken the matter in hand.

5639. Does it make something like a harbour of refuge inside the Spurn for small vessels?—It forms a harbour of refuge; the vessels bring up under Sunk Island. But last year a Bill came before the House of Commons to take in a portion of the shore, and the Bill was thrown out in consequence of this being a harbour of refuge for small vessels.

5640. It would make a swift tide if they took any of the land away there, would not it?—Yes; Captain Calvert, who was the surveyor of the Humber, convinced the Government upon that point; and the Board of Trade went with us to get the Bill thrown out, in order that there should be no injury done to the navigation.

5641. And the Board have the management now of the whole of the Spurn Point, have they not?—Yes.

5642. What is the difference in the traffic of the river between Hull and Goole; does a different class of vessels run between Hull and Goole?—Yes; the large ships come to Hull and the small ones to Goole.

5643. Is there much transhipment of cargo at Hull, which is again shipped for Goole?—Yes; there are boats running every day for that purpose.

5644. Is the river dangerous between Hull and Goole?—Yes.

5645. Have you a different class of pilots?—There are branch pilots in Goole.

5646. Do they come under the 68 you mentioned?—No.

5647. How many pilots are there between Hull and Goole?—I cannot say, because they are not under the surveillance of the Commission of which I am chairman. They are under the Trinity Board; and have a special commission at Goole.

5648. They are under the authority of the Trinity Board?—Yes, until they are examined; then they come under the local commission at Goole.

5649. Is that local commission appointed by the Trinity Board?—No; it is appointed by Act of Parliament; I believe they are appointed under the Act of 1832. I think the Goole people are content, and do not complain of their rates.

5650. There is no clashing between Goole and Hull, is there?—No. The Hull pilots are not licensed to take ships to Goole; they are only licensed to the Manchester, Sheffield, and Lincolnshire port, New Holland and Hull.

5651. The 68 pilots that you have mentioned are sea-going pilots, with sea-going boats?—Yes.

5652. Have the pilots above Hull any boats at all, or do they simply get on board the vessels?—The pilots above Hull simply get on board the vessels.

5653. What is the case with Grimsby; is Grimsby under the jurisdiction of Hull, with reference to pilotage?—Yes.

5654. Is there any jealousy between the two ports with regard to payment?—No. A little while ago the Grimsby people thought that there should be some pilots stationed at Grimsby; and when that request was made it was complied with, and many pilots live at Grimsby to be ready in case of emergency.

5655. Does Grimsby unite with Hull in objecting to a change from compulsory pilotage to voluntary pilotage?—I do not know that they are interfering in the matter.

5656. You cannot say whether they are acting cordially with you or no?—I think they are, or we should have heard something about it.

5657. Without the exemption of masters and mates who are licensed, I suppose 68 pilots would be too few?—No, not with the facilities we have; we can take every pilot out of the pilot boats; the boys are qualified to take charge of the pilot boats, to bring them up to Hull, and to take the Hull station men down again; and if not, we send them down in a steam tug, and in six hours the men are on their station again; we have done the work very efficiently with 70 pilots, and never had a complaint.

5658. At the same time the work is lighter, in consequence of the number of masters and mates licensed as pilots?—Yes.

5659. I presume if you had no such licensing system you would require more pilots?—I think we could work it if it remains as it is now.

5660. Supposing the exemptions were done away with, the effect would be that the earnings of the pilots would be larger, would it not?—I think they would; they would do more work and get more pay.

5661. If fewer vessels took pilots in consequence of a change from compulsory to voluntary pilotage, *pro tanto* the earnings of the pilots would be diminished, unless you had fewer pilots?—We should not make more pilots unless they were required by the trade. The Commissioners, not the shipowners or brokers, are the parties who would say that they are short of pilots, and the very next day the board would meet and ask the Trinity Board to license other men; but that has never happened in the last 20 years, to my knowledge.

5662. If your opinion is right, that there would be a great falling of in case there is a change from compulsory to voluntary pilotage, your first operation would be to reduce the number of pilots?—If they are not required, of course they must be reduced.

5663. Are the apprentices you mention included in the 68 pilots?—No; there are 21 apprentices independently of the 68 men; and there would have been 70, but in one clause of the Bill it states that if we augment the pilots we must take the

the consequence, that they would get no pension, and we have left it open, to see what the result of the Bill would be.

5664. How often do the apprentices become pilots; what are the average vacancies in the course of a few years?—As a pilot comes on the superannuation list, or if anything happens to any of them, if they leave the service, or if they are drowned, then the next apprentices that have served five or seven years at the pilot boats, and have been two years at sea in a square-rigged ship, take the first turn, if they are qualified in passing the Trinity Board.

5665. Have you any account of the average number of those that become pilots in the course of three years?—I have a list in my hand, but it will hardly carry out what you require; there are seven superannuated pilots at this moment; sometimes we have two or three a year, or something of that sort; I am sorry to say that we have had four this last year.

5666. After the apprentices have served their time as apprentices to pilots, their habit is to go to sea as ordinary seamen, is not that so?—Yes; if they are not required as pilots.

5667. And after the two years they remain at sea until they have the chance of becoming pilots?—Yes.

5668. In case the number of pilots be reduced, the effect would be that the apprentices would not lose their calling altogether, but they would simply remain at sea till they would be required as pilots?—It would be a hard case for a man who had hoped to be a pilot, and had served seven years, to be thrown overboard.

5669. Do you consider that their post as pilot is a very much better one than that of able seamen, which they would be at the end of two years?—Yes; sometimes they would be better than able seamen.

5670. I suppose some are promoted to be masters and mates of vessels, and they do not return to become pilots?—As a rule, I believe that the pilots think that they are entitled to claim a right in the service, and the moment there is a vacancy they come to the Trinity Board to continue the arrangement entered into when they were bound as apprentices.

5671. You think they would do that if they became masters of vessels in the meantime?—Yes, they think it part of their livelihood.

5672. And it is a favourite service; they are more at home?—No, they are a fortnight up and a fortnight down; but the up-men have to go to sea every day if wanted.

5673. Are there many collisions on the Humber?—I believe not, as a rule; we see very little of such things.

5674. The channel is not a very narrow one, is it?—It is very narrow in some places; at one particular spot it is not 200 yards wide, but there is not less than six fathoms of water; that is opposite the Burcom Sand; there are no soundings; I have cast a lead at five fathoms, and the next moment I have been ashore.

5675. Supposing an accident happens, and the vessel gets on shore, is she, in consequence of the state of the navigation, liable to interfere with the navigation of other vessels afterwards?—Yes; if a wreck is in the fair-way, she must interfere with the navigation.

5676. Is a wreck in the fair-way sufficient to block the navigation?—Yes; she must be in the fair-way except the man gets on the wrong side of the sand; but we have a conservators' board, and they remove the wrecks as fast as they can.

5677. Does the tide itself frequently remove the wrecks?—No.

5678. It is never strong enough for that, is it?—No; I have heard of the tide tumbling and rolling them over.

5679. Do you find that the smaller class of vessels that draw under six feet of water, which are exempt from compulsory pilotage, often take pilots?—No, not as a rule; I think when a man does not require a pilot particularly, if he is coming constantly into the river, he does not take a pilot.

5680. Have you many foreign going vessels of that light draught of water?—We have many Danish ships of that draught of water.

5681. Do they take a pilot?—No; men who have been in the Humber before do not do so; but as a rule foreigners do take pilots.

5682. Those who do not understand the navigation of the river will take pilots?—It cuts both ways; because if a man is a stranger he cannot find his way up; but if he has been there before, to save expense he would run the risk.

5683. Would you say that a man who was totally ignorant would take a pilot, and that a man with partial knowledge might try to go up without one?—Yes.

5684. That has been the experience of yourself for the last few years?—Yes; my experience is, that if a man does not know the river he takes a pilot.

5685. Is it also your experience that people who are ignorant presume upon their little knowledge, and would go up without a pilot?—No; I should say that a man who knows nothing of the river would hardly face it. The cases that I know are with vessels that come down from Goole; they sometimes take the other side of the river in order to avoid the pilotage; but when they are caught they are brought up.

5686. Would not you think if that was the case with reference to these smaller vessels, that with regard to the larger vessels, people would always take pilots, unless they had adequate knowledge of the river?—I think if the system proposed to be adopted were carried out there would be no pilots to get, and the men who came on as strangers would have to lie outside the Humber till they could get a fisherman to bring them in; that would be a great loss to the trade; our goods would be left outside the Humber for days, and the thing would be very serious.

5687. Supposing the law was altered, do not you think that your present board would continue the present system till they found that there was no work for the pilots?—They could not alter the system unless there was a cause.

5688. Would that cause arise if people took pilots when there was a necessity for it?—My opinion is that it would arise. I think the system is working very well as it is; and I think it is dangerous to meddle with a system that everybody is satisfied with.

5689. I want to press you a little on that point, because it is the key of the whole question; if your experience is that people who do not know the river still take pilots, that those who are under exemptions still take pilots, if they do not know the river, would not that be the case with reference to other vessels if they were all free?—I do not know what would be the case. I know

Mr. A. Bannister.

11 May 1870.

know if I was going up the river, I should tak a pilot whether I was obliged or not.

5690. Have you studied the question of responsibility of pilots and masters with reference to accidents that happen?—Yes.

5691. You have probably heard the strong opinion expressed by the Liverpool witnesses, that it would be very much better, under any circumstances, that the responsibility for accidents should fall upon the owner of the vessel, because it would make the masters more careful?—My opinion is that if a pilot is put on board a ship, he should be considered as a man belonging to the vessel, and that the owner should take the same responsibility as if the pilot was not on board.

5692. You think that the pilot should not take the command of the vessel out of the hands of the master, but simply that he should be a man to show the master the way?—If my master let the pilot take the command out of his hand, he would not have another opportunity of doing so from me.

5693. You think the master ought to know the capacity of the vessel a great deal better than the pilot?—Yes; I think the duty of the pilot is to guard a man against sands, and give him his advice upon all occasions. I think a pilot should be in the vessel, for the master to take his advice or not, as he thought fit; but the responsibility should be with the owner.

5694. You think, whether the law of compulsory pilotage be altered or not, that it would be well to lay down distinctly that the master is responsible for any accidents that may happen?—Yes, I think so; that is my opinion.

5695. Mr. *W. Martin.*] You said you thought that strangers had no right to interfere about this compensation?—I said I thought that the proper authorities to settle the compensation question were the local authorities, who understood the case.

5696. Are you aware that if this Bill passes the moneys for this compensation, under subsection 5, could be provided by money voted by Parliament?—I am aware that it is so stated in the Bill.

5697. Then, if Parliament is to give the money, the Board of Trade ought to have some voice in the matter, ought it not?—There is no objection to their having some voice, but they are not likely to know how to manage it as well as the local commission who have no interest in it; they would not give more than they ought to give.

5698. You would report to the Board of Trade, and if they thought that your demand was not unreasonable, you would get the money?—I think that that is an unsatisfactory way to leave it.

5699. How would you leave it?—I would put a clause in the Bill, that the men should have compensation, over so many years.

5700. You would make a fast line in the Bill, and not leave it optional?—No. I think it is very unfair to leave these men, who have spent their lives in the pilot service, to the tender mercies of the Board of Trade.

5701. You said that it would be impossible to compel them to go outside the Humber, in north-easterly gales; how are they compelled to do it now?—They are compelled in this way: every pilot boat that goes out has to keep a daily log, and that log is not to be posted up every night, but it is to be posted at certain hours of the day. Those logs are brought up to the commodore of the pilot board of the Humber, at the end of a fortnight, and we can see what a pilot boat has been doing during the whole cruise of the vessel. We can tell where that ship has been during the whole time.

5702. If the Bill passes, your authority would not be taken away, and your board would still continue in existence?—We should not have the authority that we now have over the men. Supposing it is blowing a gale from the north-east, that is the time when a pilot is wanted; and if we did not know whether the ships would take pilots or not, the pilots would not go out to sea, and consequently the ships would get ashore, and we should have no end of trouble.

5703. That would be just the time a pilot would have his harvest?—I do not think it would; I think the risk of life is so great that they would consider themselves first.

5704. That would be the only time that a pilot would have a chance of earning money, if he is to be a pilot at all, would it not?—No; he would always be out at sea; and if pilotage was not compulsory, a man might go alongside a ship and say, "Do you want a pilot?" and the master would say, "No, I do not." He would get all his trouble for his pains, and perhaps not get a service at all; it would made him careless; he would say, "People won't take me; I cannot go cruising about in the open sea, and not get anything for it."

5705. You say you know nothing except of your own port?—I only speak with regard to Hull.

5706. I believe they do that in Bristol?—I do not know anything of the Bristol Channel. I think it is common sense if a man is not paid for risking his life, he will not do it.

5707. I am afraid you do not understand what I mean: you say that in bad weather a man cannot come in without a pilot?—Unless he knows the navigation; and I have known it in this way; when the colliers going to the north have been coming in with the wind at north-east, I have seen as many as 300 ships lying in Bridlington Bay, and it is as much as a man can do to clew off the land. Their port is the Humber, and they cannot get in; we cannot board them, and the pilot boats foresail them into the river in safety.

5708. They are not bound to take pilots?—No, because they are coasters; but if a coaster comes and asks for a pilot, we are bound to find him one.

5709. Then you may charge him what you like?—No, you cannot charge him more than the ordinary pilotage set forth in the rates; shipowners would never stand that.

5710. How are the rates settled outside your pilotage limits?—By the bye-laws of the Pilotage Commissioners.

5711. It is outside your limits?—No; our limit is Donna Nook on the south, and Dunlington on the north. They cruise within that limit, and if they go beyond that limit they can only get the same amount of pilotage.

5712. Bridlington is far south of Donna Nook?—If they board them at the extreme limit, the rate is 5*s.*; if they board them in the mouth of the Humber, the rate is 2*s.*; but they do not charge them any more if they board them 20 miles beyond the limits.

5713. Do you mean if they take them up at Grimsby?

Grimsby?—At Grimsby the pilotage is less; but when a ship gets to Grimsby, she is out of danger. In bad weather, if the pilot boat is cruising without the limit, she puts a pilot on board; the vessel does not pay a penny more than if a pilot boarded her within the limits.

5714. Mr. *C. Turner.*] Do not you think it would be fair, if a vessel is not obliged to take a pilot, that if a pilot was out in bad weather he should be able to obtain salvage?—It would lead to endless litigation; I should not like to see that day.

5715. Supposing compulsory pilotage was done away with, that pilotage was voluntary, and that a ship was not obliged to take a pilot, what do you think then?—Then, I think, the rates should be revised.

5716. You would not go so far as to allow the pilots to claim salvage?—As a shipowner, I should say no; but I think a man is entitled to it.

5717. If a pilot goes out in bad weather to the danger of his life, is it not a fair argument that the whole thing should be voluntary on both sides?—I think it is.

5718. You were speaking of Goole; there is not much foreign trade at Goole, is there?—What foreign trade is done at Goole is principally done by steam-boats; the trade to France, Dunkirk, Rotterdam, Amsterdam, is done by that class of small light draught of water steam-boats.

5719. Is there any foreign trade at Gainsborough; is there any custom-house at Gainsborough?—I have heard of timber ships going up.

5720. Do small vessels go up as far as York and Gainsborough on the Trent?—Yes.

5721. Many of the vessels that come from Holland and the lower part of the Baltic are very small vessels, are they not?—From the Danish ports in particular, they are very small.

5722. And those vessels are conducted with the greatest economy as regards expenditure, are they not?—Yes; some of them do not carry more than 400 quarters.

5723. Therefore under those circumstances, the masters of those vessels are anxious to save every farthing they possibly can?—Yes.

5724. And in endeavouring to do that you think they would sometimes run very great risks?—No doubt.

5725. They consider it a very great matter to conduct the voyage as economically as they possibly can?—Yes.

5726. And that induces them to run greater risks than prudence would justify them in doing?—Yes.

5727. And that is one of the reasons why you think that voluntary pilotage would create great risk to life and property?—Yes; supposing a foreigner comes to Hull, and he is used to trading on the lower parts of the Elbe, if he presents himself at the Trinity House and puts himself under examination, he can get the privilege of exemption, the same as an Englishman.

5728. Sir *C. Wingfield.*] You said just now, that in your opinion the master of a vessel should be responsible, and not the pilot?—Yes.

5729. Supposing that a pilot directs a master to take a particular course, and in taking that course the vessel runs aground, in that case the responsibility could not be on the master, could it?—I think under any circumstances the responsibility should be with the underwriters and the master of the ship; the master is responsible to the owner, and he ought not to give up the command of the ship to the pilot.

Mr. *A. Bannister.* 11 May 1870.

5730. And the pilot ought to point out the way, and if on taking the way the pilot points out the master gets into difficulties, you think then the blame ought to rest with the master?—I do not know of any case of that sort in the River Humber; the pilots are very efficient men.

5731. I can understand the master being responsible for working a vessel under the pilot's instructions with regard to the course, and so on, but if on taking that course the vessel gets into difficulties, the pilot must be responsible?—I think the pilot is put there to show the master the course.

5732. Therefore there must be a divided responsibility?—I do not see that.

5733. The master ought to be responsible for working the vessel, and the pilot should be responsible for directing its course?—There is no divided responsibility between master and mate.

5734. The mate is not put on board the ship to tell the master what course to take in a difficult channel?—He is put there to help him.

5735. With regard to the pilot, he is put on board to point out the course in a difficult channel?—Yes.

5736. If he points out the wrong course, and the vessel gets into difficulty, how can the master be made responsible?—I think it is the proper thing to do; the pilot is there as the servant of the owner and underwriter, and I think he ought to take no responsibility. A man gets 30*s.* for bringing a ship up from the Grimsby Roads to Hull; what responsibility can he take?

5737. Then why is there so much stress put on the employment of pilots?—I think people's lives and property would not be safe without pilots.

5738. It must be because he knows the channel better than the master?—If the master sees that a pilot is wilfully going to do a wrong thing, then I think he ought to bring up his ship and get another man; if he sees that he is drunk, he ought to wait until he can get a sober man.

5739. I am supposing a case where a pilot entrusts the master to take a particular course, and the master in following out those instructions, the vessel gets into difficulty; in that case the master cannot be responsible, it must be the pilot; is not that so?—It is an error in judgment, which I think the pilot ought not to be held responsible for; the underwriters ought to be responsible.

5740. Therefore you do have a divided responsibility?—I would not have it so; I heard Mr. Moss's evidence when he said he thought that a master of a ship should not give up his charge; I quite agree with him on that point.

5741. Mr. *J. Stewart Hardy.*] In fact when a voluntary pilot is on board, he has precisely the same duties as a compulsory pilot, and the master is responsible for the acts of a voluntary pilot, and if he goes wrong, the owner is responsible?—If a master of a ship is licensed by the Trinity Board to pilot a ship up the Humber, and he makes a mistake, the owner of the ship is responsible.

5742. And any master coming in to the harbour, or going out, he has no more choice of his pilots under the voluntary system than he has under the compulsory system?—He has no choice whatever.

Mr. *A. Bannister.*

11 May 1870.

5743. And yet the owner is responsible for all his accidents?—He is so now, but I do not think the law ought to be so; it ought to be altered; the underwriters should have the responsibility, and they would put a clause into the policies making it compulsory upon vessels to take pilots.

5744. Mr. *Cave.*] We have had evidence to the contrary; I have asked witnesses whether the underwriters would put a clause into their policies that a vessel must take a pilot; they said no; that if there was an increase of danger they would increase the premium; is that your opinion?—My opinion is, if the underwriters found that ships were coming into the river with valuable cargoes on board (and such cargoes are very valuable), they would take care to ascertain that the owner had a competent master on board before they would take the risk.

5745. With regard to Sir Charles Wingfield's question, I suppose you would say that getting aground was an error of judgment upon the part of the pilot, and was an ordinary risk of the sea against which the owner would insure with the underwriters?—Yes.

5746. And the punishment of the pilot would be by his being struck off the rolls, if he committed an error of judgment frequently?—In Hull, if the pilot did so, the owner would make a complaint to the Commissioners, and the Commissioners would investigate the case; and if they found that the pilot was to blame, they would send him to the Trinity House to be broken, or they would fine him for neglect of duty.

5747. Mr. *Graves.*] I see by the returns that the Trinity Board grant licenses very freely to masters and mates of vessels?—Yes. The Trinity Board consists of masters of ships, and these gentlemen examine the pilots that come up for examination. When they are passed, they come before the Commissioners which were created by this Act of Parliament.

5748. Who forms the Trinity Board, to examine in the first instance?—The Commissioners do. If we find the trade has increased, and that it is necessary to have more pilots, we call a meeting of the Commissioners, and they determine upon the matter. After hearing the evidence of the commodore and pilots, they judge for themselves, and they say, "We will have six more men, and we will write to the Trinity House, through the official clerk, to ask for the appointment of six more pilots." The Trinity House make the pilots, and they come to us to be employed.

5749. The functions of the Trinity House cease when the men are examined?—Yes, with the exception that the Trinity Board are represented on this commission.

5750. When a man is brought up for default or neglect, is the case investigated by the Commissioners or by the Trinity Board?—The case is investigated by the Commissioners under this Act of Parliament.

5751. Do the Commissioners award the punishment, or do the Trinity House award the punishment?—If it is a case of being broken, the Trinity House do break the pilots, and in every case that I have known for the last 20 years they have done so; but if it is a case of neglect, the Commissioners have the power to fine a man a certain amount up to 20*l.*

5752. But the Commissioners, apparently, have recommended the Trinity House to grant licenses very freely to masters and mates of vessels?—You draw a distinction which does not exist; they have granted licenses freely for masters and mates, and not for pilots.

5753. I speak of masters and mates; as far as I understand you, any one who can show that he is qualified as a commander of a home trade passenger ship, or coasting vessel, receives a license?—Any man who is qualified, whether he is an Englishman or a foreigner, can be licensed.

5754. Is it not a misnomer to call such a system of pilotage a compulsory one?—We have no such thing as compulsory pilotage now.

5755. You say that the pilots are regulated, to a great extent, by the requirements of the trade of the port: supposing, as has been proposed, compensation should be arrived at by a system of reduction of numbers, would you consider such a reduction an injury or a benefit to the port?—As the trade of Hull is increasing very materially, I should not like to see a reduction in the number of pilots?—I think it would be detrimental to the interests of the port.

5756. You think it necessary to regulate the number by the greatest requirements, under circumstances of emergency?—Yes, by the supply and demand from time to time. If we were to reduce the number of pilots, and a large influx of ships came into the port, some would have to go without.

5757. I believe you have the apprenticeship system at Hull, and you have young men coming forward to fill up all the vacancies that may occur for some years to come?—Yes; I think we are better situated in Hull than in most towns, inasmuch as the Trinity House have one of the finest schools in the kingdom; and all these boys are trained, under efficient masters, in learning navigation and the use of the globes.

5758. Do you mean that the apprentices of the pilots of Hull must be trained at this particular school?—We take the Trinity boys in preference to all others, and these are the class of boys that are afterwards made pilots.

5759. Do you consider that, under the compulsory system, there is a greater moral obligation upon a pilot to be at his station, and on the look-out for a vessel, than there is under the voluntary system?—Yes, I think so, because a man under the voluntary system can do as he pleases much more than he could if he was under the surveillance of those who had the management of the concern.

5760. Do you consider that a man feels that where a vessel is compelled to pay for his services, there is a moral obligation upon him to be there, to offer his services in return for the payment?—Yes.

5761. Do you think that that moral obligation has a salutary effect upon the system at work at Hull?—Yes, I think it has a good effect.

5762. Is it your opinion that under a one-sided system, allowing the shipowner to take a pilot or not as he likes, that moral obligation would be weakened?—Yes; I have no doubt of it in my own mind.

5763. If I understand you rightly, the Commissioners directly represent the commerce and shipping trade of Hull?—Yes, it is a very large body; it consists of 72 commissioners. The Trinity House are represented, the corporation and the mayor and burgesses are represented, and the whole

whole of the merchants, brokers, and shipowners are represented.

5764. Is that by any popular mode of election?—Yes; any man who is a large shipowner is placed upon the commission, if he desires it; I believe every shipowner who would qualify, and every merchant who would qualify, is put upon that commission.

5765. I believe that commission has a very deep interest in the welfare of the port?—Yes. We get no pay whatever.

5766. Theirs is a greater interest than either Parliament, or the Board of Trade, can have?—I should think so; I think they are better able to manage their own business than Parliament.

5767. You think that in a matter affecting the pilotage of the port, it would be wise to leave the discretion, as to the system to be adopted, to the decision of the Commissioners?—I think that as nobody finds any fault with it, and as it is working perfectly well, it should be left alone. If there were any complaints against the system, it would be another thing; we never have any complaints; everybody is satisfied with the system, therefore what is the use of changing it.

5768. Do you express, generally, the feeling of the majority of the Commissioners?—Yes.

5769. Have you arrived at your views with any amount of unanimity?—I called a meeting of the Commissioners to consider this question, and there was not one dissentient.

5770. And you come here representing the unanimous voice of the commission?—I have no doubt I do. I have been chairman of the commission 20 years, and that is the general feeling.

5771. And the general feeling of the mercantile community of Hull outside the commission, is to let well alone?—The Chamber of Commerce and the Shipowners' Association met, and they agreed to oppose this Bill, and there will be a gentleman here to-day to give evidence on the subject, on behalf of the shipowners.

5772. Who is in favour of it at all in Hull?—I cannot tell you.

5773. Mr. *Norwood.*] We have at Hull a Trinity House of our own?—Yes.

5774. And that is of course a corporation composed of nautical men?—They are all nautical men, except the honorary members.

5775. That is an independent body; I believe your administrative body is totally distinct from it, save and except that the Trinity House have a certain amount of their number upon your board; but that number is small in comparison with the commercial part of it?—Yes.

5776. With reference to the pilotage charges, I believe they vary according to the distance traversed; you have one scale from your extreme north limit, Dimlington, and you have another scale from Kilnsea?—Yes.

5777. And you have another scale when the vessel gets to the New Sand Buoy?—Yes.

5778. And there is another charge when you get to the Spurn?—Yes, another when they get to the Hawk Roads, and another when they get to the White Booth Roads.

5779. So that, in point of fact, some of these pilotages are extremely small, and you charge in proportion to the distance traversed by the ships?—Yes.

5780. Let us clearly understand about the compulsion; you said, in reply to the honourable Member for Liverpool, that it was virtually non-compulsory; it is not strictly so; it is not compulsory so far as the local ships are concerned, which are constantly trading to Hull, because their masters and mates get certificates; but it is compulsory as far as strangers are concerned; any vessel coming within your limits from a foreign port, which does not possess a licensed master or mate, must take a pilot, or pay a fine; is not that so?—If a ship comes into Hull, and has not a licensed man on board, she is bound to take a pilot.

5781. All vessels are bound to take a pilot or to pay a fine, except those vessels which carry a licensed pilot?—Yes, every vessel coming to the port that has not a licensed man on board must take a licensed man.

5782. And the local shipowners, and the owners that trade frequently to Hull, get over the difficulty by getting either a master or mate licensed, and that is done to a very large extent?—Yes.

5783. I believe there are as many as 248 masters and 35 mates licensed, that is, nearly 300 men who hold a license, independently of your pilots?—Yes; but small ships, drawing six feet of water, that are going in and out of the port once a week do not pay; they are not compelled to take a pilot, but we are bound to find them one if they want one.

5784. You gave your opinion with reference to the liability of shipowners with a pilot on board; you think that the shipowner should not be exempt from the act of the pilot?—Yes. He is not exempt with his master and mate aboard; why should he be exempt with the pilot?

5785. He has the choice of master and mate, but he has not the choice of a pilot; is not that so?—We, in Hull, do not allow a man to fix upon a certain pilot.

5786. A man is compelled to take a pilot, is he not?—Yes, if he has not a licensed man on board.

5787. But the pilot is not a servant to the shipowner, to the same extent as the master and mate?—I look upon him in precisely the same light as the master and mate; I call him a third officer.

5788. With reference to the master and mate, you examine into their character and you get testimonials; you deliberate with regard to the engagement of the master and mate, because you are placing a very considerable responsibility in their hands; but you have not the same chance with the compulsory pilot; is not that so?—The Trinity House select the best men.

5789. We are talking of the shipowner's responsibility at present; is there not a very decided distinction between a master and mate, whom the owner has the power of choosing from among a certain number of men, who tender themselves for examination as to their qualifications, and the taking of a man as to whom he has no choice, and who is put upon him arbitrarily?—As a rule, I should think he is better off with the Trinity man than with the master and mate.

5790. Would you think your master justified in countermanding the order of the pilot; supposing a pilot on board one of your vessels was coming up the Thames, and he shouted out "port," would your master be justified in shouting out "starboard"?—It would depend upon circumstances. If the ship was likely to come into collision, and a man who was used to be on the Thames more than the master of the ship saw that another ship had a pilot on board, he would know

Mr. *A. Bannister.*

11 May 1870.

know what that pilot would do; whereas a stranger could not know it.

5791. Supposing you had a properly certified pilot, thoroughly acquainted with the River Thames, and he saw the necessity of giving the order "port," would not it be an extremely dangerous thing for any master of a ship to shout out "starboard"?—As far as I can think of the matter, it would be perfectly justifiable for a master of a ship, if he thought that he was likely to get into danger, to stop the pilot and put the helm starboard instead of port; but as master I should not like to do it.

5792. If the pilot took the command out of the master's hands and got into trouble in consequence, would not you find fault with the man?—I should send him to the Trinity House to be broken.

5793. Supposing that he got you into a loss of 3,000 *l.*, what would you say then?—That is a position in which I have been placed, I am sorry to say.

Mr. Dale Brown, called in; and Examined.

Mr. *D. Brown.*

5794. Mr. *Norwood.*] You were the Commodore of Pilots at Hull from the year 1844 to 1861, were you not?—I was.

5795. Previously to that, you sailed out of the port as mate and master?—No, I sailed out of London as mate; but I commanded a ship out of Hull for 10 or 12 years.

5796. I believe you are now the superintendent of the Dock Company?—I am.

5797. You have the general superintendence of the berthing, and the removal of vessels from the docks, have you not?—Yes.

5798. Have you heard the evidence of Mr. Bannister?—Yes.

5799. Do you coincide with his views as to the working of the pilotage system?—Yes.

5800. Do you consider he is correct in what he has stated?—Yes.

5801. Do you agree in the opinion expressed by Mr. Bannister, that the navigation of the Humber is very difficult?—The upper part of it is extremely difficult.

5802. In the winter time, when you have bad weather, short days and fogs, and so on, it is really extremely dangerous, is it not?—Yes, it is a dangerous river; the rapidity of the tides, and the occasional shifting of the sands, make it at night a most dangerous river.

5803. Is it the fact that there are accumulations of sand completely surrounding the coast north and south. I believe there is a margin of sand on the northern coast which has much increased about the Stoney Binks?—Yes.

5804. And you have upon the southern side of the river even, a greater accumulation of these sands, and when you come within the Spurn you have a succession of large sand banks; the Foul Holme, the Middle, the Upper Middle, the Sunk Road, and the Holme Sands, and the Skitter, and all the various sands up to Hull?—Yes.

5805. And in some places, I believe, the channel for large ships is very narrow?—Yes, a couple of hundred yards.

5806. A large vessel getting out of that channel would get upon the sand?—Yes, any material deviation from mid-channel must inevitably bring her to the sand.

5807. You say that the sands vary very much indeed?—Yes.

5808. They shift, and the depth of water varies upon them?—That is not of so much importance as the shifting of the position of the sands.

5809. In point of fact, is not a constant investigation of the river necessary to ascertain the exact position of the sand at any given time?—Yes.

5810. Of course the approaches to the Humber are very much exposed to the easterly and north-easterly gales?—They are the most prevalent and fatal winds, the north-east and south-east.

5811. And are ships during a severe winter wrecked both on the northern and southern entrance of the Humber?—We never get through a winter without some.

5812. In your opinion, if there were not an efficient pilotage service with boats stationed outside the Humber, ready to board ships and take them into the Humber, would those accidents be greatly increased?—Yes; it is, in my opinion, a very deadly and fatal place to attempt without any official staff of pilots. I speak as to strangers.

5813. We have got it in evidence, that as far as the shipowners of Hull are concerned, they are virtually exempted from compulsory pilotage by the fact of being able to get licenses for their masters and mates?—All who have applied, and proved themselves eligible and competent, have obtained licenses from the Trinity House.

5814. Is it not the fact, that if an owner has a master or a mate competent, who is willing to take a branch, a letter is addressed to the Trinity House by the owner, asking the Trinity House to be good enough to examine the mate or captain, as the case may be, and should the Trinity House find him competent he gets his license at once to serve on board that particular vessel; and in the event of his leaving that vessel his branch is good for another vessel belonging to the same owner?—On the payment of a certain fee it is renewed to any other vessel belonging to the same owners.

5815. Do both English and foreign owners avail themselves of that to a considerable extent?—Yes.

5816. But with regard to strangers who have not a licensed man on board, the pilotage is compulsory; the masters either take one or pay a fine?—Yes.

5817. During the long period you have commanded this service, have you found many cases of those pilot boats outside skulking?—I have had complaints during the period of 17 years, of course, but I think the men's own interest prompts them to keep as much out to sea as possible.

5818. Have you good system of log, so as to be able to fix upon the position of the cutter at any time?—A perusal of the log book will show the position of the cutter at any hour, or several times during the day, and every record is made when a pilot is put on board a ship of what position the cutter was in at the time.

5819. From time to time you have, of course, complaints made about the pilots?—Yes; with such a large number of men it must be so.

5820. Are the complaints always examined into?—Yes; very probably before the vessel leaves

leaves the port, and they are very promptly and severely dealt with if the case is a bad one.

5821. The pilots are severely dealt with if necessary?—Yes; I have reported men to the Commissioners, and they have fined them penalties of from 2 *l.* to 20 *l.*

5822. A penalty of 20 *l.* would be a very severe penalty, would it not?—It would be nearly one-seventh of a pilot's average earnings, which are 150 *l.* a year.

5823. The position of a pilot is fully equal to that of the master of a moderate-sized sailing vessel, is it not?—As regards pecuniary position, I think it is quite equal to that of a master; respectable and well-conducted men will take an equal status with the masters of coasting vessels.

5824. How large are your cutters?—About 60 tons.

5825. With one exception, are they not owned by private owners?—Yes, with one exception; the Commissioners have an interest in one, as trustees for others.

5826. Do they derive any personal advantage from it?—Not a farthing.

5827. I presume the Pilotage Board derives this advantage, that the ship is treated merely as stock in trade?—They have no profit in any shape or way; the share goes to the funds of the office.

5828. But with the boats that are under private ownership, there is a benefit to the ship-owners?—Yes; the pilot cutter gets one share and five-eighths.

5829. What is the amount; is it excessive?—No; the cutter only gets 6 or 7 per cent. after the insurance is paid; I do not think that is a very large remuneration.

5830. Do you agree with Mr. Bannister that if the principle of the Bill were to be carried out, as respects the Humber, it would disorganise the system?—I think the good men who are best worth keeping would not have sufficient remuneration to induce them to remain in it, and they would seek employment elsewhere.

5831. Do you know that the commissioners have power to reduce the number of men, so as to keep up the earnings?—Yes.

5832. Do you think it is necessary to keep three cutters at sea?—Yes.

5833. If the number of men was materially reduced, you could not do that, could you?—No; it might arise that there was a deficiency on the sea station. I presume that you are aware that the easterly winds bring us a great influx of shipping in a very short period from the Baltic, Norway, and Sweden.

5834. The continuance of westerly winds throws the pilots out of employment, does it not?—Yes, to a certain extent.

5835. But a sudden change to the east in a couple of days brings very large fleets of vessels to the Humber?—Yes; more than the pilots can attend to occasionally.

5836. You send down the pilots by tugs as fast as the vessels come up, and you have a boat at Grimsby to supply the deficiency; you make this arrangement if you are short of men; you form the vessels in line, and the pilots lead and the other vessels follow?—Yes; the law considers that to be sufficient service; it is held to be a legal pilotage.

5837. So that without having a pilot on board, you are justified in charging pilotage if another vessel is following a ship with a pilot?—Yes.

5838. So that without loss of time the vessels are brought up to Hull practically in safety, whether their number is large or small?—Yes.

5839. I believe you have had as many as 60 or 70 vessels up in one tide?—No, not in one tide, but in one 24 hours.

5840. Are you no longer connected with the commission?—No, except as a commissioner.

5841. You have no official connection with the commission, and therefore you are speaking now more as a gentleman interested in the general trade of the port, having an important official position with the Dock Company?—Yes.

5842. Mr. *Price.*] Do you consider the navigation of the Humber from Spurn Point to Hull a very difficult one?—Yes.

5843. What is the distance between those two points?—Twenty-one miles.

5844. It seems to be remarkably well buoyed according to this map?—It is; but the buoys are not visible at night.

5845. It also seems to be very well lighted?—It is.

5846. I see from Spurn Point there seems to be a perfectly straight course up to Killingholme?—Yes.

5847. I suppose that the light from Spurn Point is visible at night in ordinary weather?—It depends upon the state of the atmosphere; you are pre-supposing a fair wind.

5848. A fair wind would not affect the light being visible, but it would affect the navigation; is not that so?—Yes.

5849. I understand that you have a peculiar system of pilotage there, and you expressed a doubt whether, if the system were interfered with, you might not lose the best men; but why do you suppose you would lose your best men under the operation of this Bill; why should they leave you?—If the voluntary system was adopted, it would reduce their income so much that it would not be worth their while to continue there.

5850. Is not that rather a foregone conclusion; admitting, of course, that if their income was reduced the men would not remain in the service, why do you think their income would be reduced?—There would be less employment in the summer time and in fine weather.

5851. Therefore, if there were less employment, of course there would be fewer pilots; but there is no reason to suppose that the number of pilots would not adapt itself to the trade; it would find its level, like most other things, would not it?—Yes, after a lapse of years.

5852, You anticipate the temporay intermediate difficulty of having a rather larger number of pilots than you would have employment for?—Yes.

5853. That might be met, might it not, by compensation?— If the compensation was sufficiently liberal and adequate.

5854. Do you know what the system of pilotage at Grimsby is?—It is under the same governing body.

5855. Have you ever had any experience of any place where the pilotage was non-compulsory?—I have not been in command of a ship for several years, but in Liverpool, London, and the different ports that I have been in, we have always had compulsory pilotage.

5856. Therefore you have not seen what the effect of the voluntary system is?—No.

5857. Do you think that, supposing that pilotage was non-compulsory, many ships would attempt to go to Hull without taking a pilot?—In

Mr. *D. Brown.*

11 May 1870.

In fine weather and in fair winds they would; as an honourable Member suggested it is a very straight course.

5858. What they would do would be this: they would go without a pilot when they could do so safely, and they would take a pilot in bad weather, if they could find one?—Yes.

5859. They would take a pilot when they wanted one; but they would not take a pilot when they did not want him?—That is my opinion.

5860. Supposing the consequence of that mode of procedure were to be that the pilots on the station got less work to do, or that there were fewer pilots, I suppose the price of their services would naturally be enhanced?—No; the price of their services is limited by Act of Parliament.

5861. It is limited now; but, of course, if the price of their services was not satisfactory to them, and they left the service, you would be obliged to raise the scale of prices for their services to induce them to remain?—I imagine there would be an outcry on the part of shipowners.

5862. The shipowners could not make an outcry so long as they could take pilots when they wanted them; people make a great outcry when they take a thing which they do not want, rather than when they have to pay a large price for a thing they do want?—Few people part with money willingly; one difficulty would be, that in fine weather and in a straight course they would get beyond the cutter when they are on the station, and when they came to an intricate channel they could not pick up a pilot.

5863. Supposing that the pilotage became non-compulsory, your opinion seems to be that the men would not be bound to maintain their stations upon the chance of finding ships?—No; I think it would be altogether a speculation upon their part, and a very hazardous one in the winter time, as to whether they would be wanted or not.

5864. We heard a good deal in the case of Liverpool about the hardship and danger of pilots maintaining their stations, and it was held out as a sort of advantage of the compulsory system of pilotage, that the pilots were under a sort of moral obligation to keep the sea under all circumstances, when, if they followed their inclinations, they would not do so under the system of voluntary pilotage; but that does not apply to the case of the Humber, because it does not appear that any pilot stations there are in very rough water, or where the pilots are exposing their lives?—I am afraid that you do not quite understand where the limits are; you cannot imagine a more exposed station than this; this is exposed to the whole of the German Ocean and to the north (*pointing to the chart*).

5865. Is it a position of discomfort or danger?—I know Liverpool; I have been in there, and I should say that the entrance of the Humber has as strong and as dangerous a sea as the Mersey.

5866. Do you know the Bristol Channel at all?—No.

5867. Should you think, looking at it upon the map, that the position is much more disagreeable or dangerous than the mouth of the Channel below Lundy Island?—I only speak from hearsay upon this matter; but I should imagine that the rapidity of the tides in the Bristol Channel increases the danger very materially, but they have not that extent of water and that heavy sea that we have in the entrance of the Humber, with the easterly and south-easterly gales.

5868. Might they not with westerly gales?—With westerly gales it is perfectly smooth water.

5869. It is not a question at all as to whether it is desirable to keep up a staff of pilots; the question is whether you would not lose the staff of pilots, supposing the system was now compulsory, or, in other words, whether the compulsory system is necessary in order to enable you to maintain the pilots?—I think a man who is now earning 150 *l.* annually under the compulsory system, might perhaps get 70 *l* or 80 *l.* under the voluntary system, and that man can make more money elsewhere with less risk.

5870. May there not be another alternative. Supposing the number of ships requiring pilots diminishes, may not the number of pilots diminish, so that each pilot may get the same as he does now?—I replied to Mr. Norwood to the effect that the easterly wind brings us such a number of ships in a single tide that we could not keep the station sufficiently well supplied with pilots, under all circumstances, to meet the demand.

5871. I will ask you a question which I have asked most of the other witnesses before this Committee. You say you do not know anything personally of the British Channel, but if you are told that the pilotage of the British Channel is non-compulsory, or has been made non-compulsory, and that the pilots have still maintained their stations in equal numbers and with equal efficiency, would that at all modify the view which you have expressed, that the non-compulsory system would destroy your staff of pilots in the Humber?—I am not aware whether the coasting vessels are compelled to take pilots.

5872. They are not?—Neither are they in the Humber.

5873. My question, of course, has reference only to one point, that is the great point in the contest, whether or not the substitution of the voluntary for the compulsory system would have the effect of destroying the staff of pilots?—My opinion is very clear upon the point. I believe it would very seriously impair its efficiency.

5874. My second question is, if you are told that in the Bristol Channel, where the experiment has been tried, and where the voluntary system has been exchanged for the old compulsory system, the staff of pilots has not fallen off, but that they maintain their stations in equal numbers and equal efficiency, would that or not at all modify the opinion which you have expressed as to the experiment if tried in the Humber?—I am bound to believe it if you say it is the case; otherwise I should question the fact, and I do not know how long it has been tried.

5875. From 1866. I ask this question for this reason, that nearly all the witnesses who have expressed the same opinion which you have done (and the majority do express the same opinion), have expressed it without any personal experience of the system which they condemn. That is the reason why I am obliged to put it in that hypothetical form, and ask you if you were told that the experiment had been tried successfully in other places, would that modify your opinion that it would not be successful here?—It may be as you say, but I am much surprised at the result if it is so.

Mr. *D. Brown.*

11 May 1870.

5876. Mr. *Malcolm.*] Can you tell me the usual size of vessels trading to Hull?—They vary from 1,800 and 2,000 tons to 60 or 80 tons; the small Danish vessels are from 60 or 80 tons.

5877. Are they generally steam or sailing vessels?—The majority of the large ships are steam ships; we have lately had a large class of sailing vessels from Peruvian ports with guano.

5878. Is it not the case that when you most want a pilot is when it is most difficult for a pilot to keep the sea; you want them mostly in an easterly or south-easterly gale, which is bringing the vessels on a dead lee shore?—It is most difficult to keep the sea with the wind upon the land.

5879. The pilots, in the winter, are called upon to risk their lives to the greatest degree, are they not?—Yes, and that has been done fatally; we have lost men in the last two or three years.

5880. Can you bring up in Hawk Roads in a south-easterly wind?—Yes.

5881. Safely?—Yes; the Spurn Point affords shelter.

5882. Mr. *Cave.*] When you talked of the upper part of the river at the beginning of your evidence, did you mean the river between Hull and Goole?—No, below Hull; eastward of Hull.

Mr. William Henry Brewis, called in; and Examined.

Mr. *Brewis.*

5883. Mr. *Norwood.*] I believe you have been a Humber pilot for 30 years?—Yes.

5884. For the last seven years you have been master of one of the cutters, have you not?—Yes.

5885. You are one of the most experienced men, as far as your time of servitude goes?—Yes.

5886. Have you been in the room and heard the evidence of Mr. Bannister and Mr. Dale Brown?—Yes; I have.

5887. Do you concur with their evidence?—Yes.

5888. Do you agree with them that the danger of entering the Humber with certain winds is very great?—Yes; under certain circumstances it is very dangerous.

5889. Vessels are lost upon the Stoney Binks on the northern coast, the Yorkshire coast, and very often vessels, particulary light colliers, are lost upon those sands below Grimsby?—I have seen seven or eight vessels go in the same gale for want of sufficient knowledge of the tide.

5890. Just now an honourable Member asked a question about the sad fact of pilots losing their lives; has that been the case lately?—Not very lately; about four or five within my experience have been lost by accident.

5891. Has not there been a case within the last year or two?—It might be about three years ago.

5892. What were the circumstances of that case?—In leaving the vessel the sea upset the boat, and a man was drowned.

5893. In keeping out at sea cruising off your station, off Dimlington and the north in the winter time with heavy weather and a north-easterly gale, there you are exposed to danger?—Very great danger; I have known a cutter stay out until the men have refused to go in a boat at all to be put on board a ship.

5894. The sea has been so high that they have refused to leave their cutter to get into a small boat to board a ship?—Yes.

5895. That would be an extreme case?—Yes, that would be an extreme case.

5896. Is it the case that in very bad weather there is considerable risk in the performance of your duty?—Yes.

5897. When a vessel gets inside the Spurn, in a gale, it is not very clear sailing, particularly at night?—It is very dangerous on account of the strength of the tide and the narrow channel.

5898. And the shifting of the sands?—Yes, in gales of wind; we usually cruise under the bank in north-easterly gales, and when we see a vessel wanting a pilot we go to meet her and fore-sail her out of difficulty.

5899. You mean that you run down by the outer banks of these sands?—Yes, to the north of the Spurn float.

5900. There is one succession of sands all the way up from Spurn to Hull?—Yes, you are never clear of them.

5901. At low-water spring tides these sands are uncovered, are they not?—They are very nearly dry.

5902. And sometimes you have very little water indeed upon them?—Yes, there is a very heavy sea there, on the Bull Sands, so that you can scarcely come over them at high water; the banks are not approachable at all at any time of the tide outside the river.

5903. The sea breaks over them?—The sea breaks over them continually.

5904. What are the principal sands in the river between the Spurn and Hull?—The principal sands are the Bull Sand, the Upper and Lower Middle, the Burcom Sands, the Holme Sands, and the Skitter Sands.

5905. And Stallingborough Flats?—Yes.

5906. And the Holme Middle?—And the Holme Middle.

5907. In some parts you have only about 200 yards of deep water channel, have you?—That is all, in which a large vessel can proceed.

5908. That is not a great deal of room for a sailing vessel?—No, it is not.

5909. Are you aware that a letter was forwarded some time ago, signed by a very large proportion of the Hull pilots, to the Board of Trade?—Yes; I am aware of it, though I was never shown it, and I believe those who sent it were very sorry afterwards; they anticipated that they would be exempt from control, and would have considerably less expense in the working of the service; but I believe they are thoroughly mistaken upon that point, and I think many of them are very sorry for having sent the letter.

5910. Have you read the Bill yourself?—Yes.

5911. Do you see there that it is proposed to retain the control?—Yes.

5912. There would be the same Commissioners and the same licenses as at the present time?—Yes.

5913. The pilots who signed that letter were under a misapprehension, were they not?—Yes.

5914. They had an impression that the service would be entirely thrown open, and that they might charge what they pleased, and go out when they chose?—Yes.

5915. Or not go out at all?—Yes.

Mr. *Brewis.*

11 May 1870.

5916. And you state distinctly to the Committee, that from your information, the pilots who signed that letter, signed it under a misapprehension, and that they are not of the same opinion now as they were then?—None of them are of the same opinion.

5917. The principle of the Bill before the Committee is chiefly this, as affecting the Humber, that now all foreign-going vessels above six feet, which have not got a licensed master or mate, would not be compelled to take a pilot; it would be optional; are you aware of that?—Yes.

5918. Do you think that they would avail themselves of that exemption?—I think in fine weather the vessels would proceed into the Humber without pilots; it often occurs that the tide has been so strong against them that they are most of the day in getting any distance up the river, and it is quite possible that they may require pilots when they cannot get them.

5919. You say this, that in fine weather when the buoys could be seen, it would be possible for a man with sharp wits, having been once or twice in the Humber, to find his way up to Hull?—Yes.

5920. Do you think that in such fine weather a man might be induced to save 30 *s.*, or whatever the pilotage may be, and not employ a pilot?—Yes, I think it is possible; but I think he would run a very great risk.

5921. We have been talking of what is likely to occur; your opinion is that there would be men who would avail themselves of the power of not taking a pilot, and who would find their way up to Hull without one?—Yes.

5922. In bad weather they would be only too anxious to get one?—Yes.

5923. You, as a pilot, complain of that; you think that it is scarcely fair for the men to be expected to keep the sea in all weathers, and to be out of employment a portion of the year, and only have employment when they run a great risk of their lives?—Yes.

5924. And you think they would not be sufficiently remunerated under such a system?—Not under our present charges.

5925. And you are at your maximum now, are you not?—Yes.

5926. Do you consider the fact of your having constant employment, summer and winter, indemnifies you to a certain extent for that great risk of life which you have experienced in keeping the sea in bad weather?—Yes.

5927. Do your masters get more than the ordinary pilots?—We have 10 *l.* more.

5928. The average earnings are something like 148 *l.* a year?—Yes.

5929. That is not more than the master of a sailing brig would get, is it?—No; and then we have our provisions to find out of that.

5930. Have you to pay for your own provisions?—Yes; that is the gross earnings that we receive, and out of that we find our victuals.

5931. And of course your clothing?—Yes.

5932. The vessels get their share of the earnings, and of course the outfit of the vessels is defrayed by the owners; you have nothing to do with the cost of the cutter?—No; she takes her share along with the rest, and pays for wear and tear.

5933. Is your establishment now sufficient to do the work properly?—Yes.

5934. Have you any fault to find with your management?—Not any; the Commissioners are very strict with us.

5935. And they consider fairly your position?—They consider fairly our position, in every case.

5936. And when the men conduct themselves improperly, they are pulled up, are they not?—Yes, and they are, generally, severely punished; and I think it is this severity which has caused them to wish to alter the establishment.

5937. And you have a very respectable body of men among you, I believe?—Yes.

5938. You soon get rid of incompetent or unsober men by the system of complaint on the part of the merchants and the action of the Commissioners?—Yes.

5939. And you think, as an experienced pilot and the master of a boat, that the system cannot be improved?—I think not.

5940. Can you make any suggestion for improvement?—Not any.

5941. Mr. *Price.*] What was the purport of this letter to which you refer, as having been sent by the pilots to the Board of Trade?—I believe it was in favour of the abolition of compulsory pilotage altogether.

5942. Was it signed by a large number of pilots?—A great number of their names were attached to it, but I do not think they signed it themselves.

5943. Has that letter ever been recalled at all?—No; but the majority of the pilots have signed a requisition to the Commissioners to oppose the Bill; they are the very same men who signed the letter.

5944. Would not that letter seem to imply that the opinion of the pilots was not of much value?—It is not upon this question; I believe they sent it without consideration.

5945. Mr. *Norwood.*] I will read the letter. This is a copy of a letter, dated the 17th of March 1870, to the Secretary of the Board of Trade: "Sir,—We beg most respectfully to make a few suggestions to you on the subject of the Pilotage Bill, seeing that our livelihood is to some extent at stake. We Humber pilots are licensed by the Elder Brethren of the Trinity House, and after being licensed, are under the control of 72 commissioners, composed of shipowners, Trinity Board, town councillors, and others; there are many pilots who would welcome the abolition of the compulsory system if such abolition would also include the abolition of pilotage authorities, and we think that if the present Pilotage Bill is to pass, there should pass with it a corresponding remodelling of the whole constitution, as we think one authority would be quite sufficient, say, our Trinity Board alone, or (which would be sooner preferred) your own authority, namely, the Board of Trade; for besides making it better under the free system, it would make it more to our individual interest to carry on the work to the best advantage; our machinery also is much more expensive than is actually necessary; we have seven cutters employed in the service; three of them only have been under weigh at one time, the remaining four being laid up eight months out of 13 (reckoning four weeks to the month); attached to which four cutters are one captain and three boys each; our past experience proves to us that our Commissioners would be slow to make any reduction in the shape of cutters, &c., though we think each reduction

duction might safely be made. From the interest every pilot has in the service (more or less according to his length of servitude), we feel satisfied that under the new system our earnings would considerably diminish, and, such being the case, would also proportionately lessen the superannuation fund; we have, at the present time, seven men on this fund, varying from 14 *s.* to 1 *l.* per week; 20 widows and 13 orphan children are chiefly depending upon us and our exertions." You have heard me read that letter?—Yes.

5946. Do you believe those allegations are correct; there is one allegation here that "there are many pilots who would welcome the abolition of the compulsory system if such abolition would also include the abolition of pilotage authorities": what complaint have they against the pilotage authorities?—They are impatient under control, and they do not like any supervision; they want to do what they like.

5947. Do you agree with these pilots, that seven cutters are too many?—No; each vessel has its crew, and she goes along with them; when the crew are ashore she is ready to receive them when it is their duty to go to sea.

5948. Do you think that the service could not be efficiently performed under a different system?—I think the service could not be efficiently conducted.

5949. Do you think that it is an improper thing that each cutter should have a captain and three boys?—No.

5950. You do not agree with them there?—No.

5951. They say, "Our past experience proves to us that our Commissioners would be slow to make any reduction in the shape of cutters"; what do they mean by that, have you any idea?—No; I do not think they know themselves; they have never made a complaint to the commissioners upon that subject, that I know of. I believe the Commissioners would be glad to entertain anything that was for the benefit of the service or the shipping interest.

5952. Is that your real honest belief?—That is my real honest opinion; if it could be shown that it was a benefit, they would do it.

5953. They say, "From the interest every pilot has in the service (more or less according to his length of servitude), we feel satisfied that under the new system our earnings would considerably diminish, and, such being the case, would also proportionately lessen the superannuation fund;" do you consider that the management of the Hull pilotage is extravagant in any one point?—No.

5954. Can you lay your finger upon any extravagance?—No.

5955. Are you speaking your full mind?—There no extravagance attached to it at all, that I am aware of.

5956. You do not agree with them, that under the new system there could be economy exercised?—No, not with efficiency.

5957. Have the pilots signed any other document but that?—Yes, they have signed a requisition to the Commissioners to oppose the Bill.

5958. These very men?—Most of them, with the exception of four or five.

5959. Mr. *Price.*] You do not agree with the pilots who wrote this letter?—No.

5960. I suppose they expressed their own opinion at the time?—I would not give much for some of their opinions, because I believe it was signed in many instances without being seen. I believe it was signed by deputy.

5961. Then it is hardly worth while to put in the other, because it is signed under the same circumstances?—The other has genuine signatures.

5962. Are not these genuine signatures?—No, not in many instances.

5963. Do you dispute the authenticity of the signatures?—Yes, in many instances; that is from what I have heard the men say themselves.

5964. Have you any knowledge of your own that any man's name was put to it without his consent?—No, not without his consent; but he has had no knowledge of the contents; it was merely said that such-and-such a document was coming up.

5965. Are you certain that all those who signed the counter-memorial had a knowledge of the nature of the document they signed?—It has been after a thorough talking over of the matter that they have signed the other one.

5966. Do you know who drew up this letter?—I believe the originator of the matter was one of the pilots who had been a pilot of the Trinity yacht, and he had some conversation with Mr. Lefevre upon the matter. I think he was on board the Trinity yacht when he had the conversation; that is what I have heard.

5967. Do you that of your own knowledge?—It is from hearsay that I speak.

5968. Do you know who drew up the letter; one of the pilots did not write the letter?—No.

5269. Do you know who wrote it for them?—No.

5970. Do you know who wrote the letter that was sent in by way of a counter-memorial?—No.

5971. How many pilots have you altogether?—Sixty-eight.

5972. Out of this 68, 40 seem to have signed this letter?—Yes.

5973. Their first impression, then, seems to have been that the pilotage could be managed more economically, and equally efficiently, under a better system of organisation?—Yes; that was their first impression.

5974. But their second impression seems to be that by the provisions of this Bill they would get rid of the advantage of the compulsory system without getting rid of the bad management?—Without getting rid of the expenses and control which they seem to object to.

5975. I will say objectionable management then, if you desire it?—I cannot speak to the motives for sending that letter; I know, from conversations that I have had with many of them, that they are very sorry for having done so.

5976. Having had a conversation with them, and gathering from that conversation that they are sorry for what they have done, you must know why they are sorry?—Because they did not understand the matter; they could do nothing better.

5977. Was not what they had in view this, that they were willing to take voluntary pilotage, provided they could get rid of their masters?—Yes, and get compensation.

5978. When they found that the Bill gave them the voluntary system, but did not change the management, then they thought they had better remain as they were; is that so?—Yes.

5979. It seems to come to this, that 40 out of the 68 Hull pilots think the pilotage might be conducted

Mr. *Brewis.*

11 May 1870.

conducted more advantageously for them, and equally efficiently for the public, under the voluntary system, but under a better management; is that so?—They thought so at that moment, but they do not think so now.

5980. I thought you told us just now, that the reason why they changed their opinion was that they found the Bill does not give them what they imagined the Bill would give them, a new management, or freedom under the existing management?—My first impression is, that they signed it without a thought at all, merely from being asked by some of their fellow-pilots to do so, without a knowledge of its contents.

5981. Still, as the letter stands, it seems to imply (whether they have changed their opinion or not since), that at the time they thought that voluntary system of pilotage would have been sufficiently efficient, and that they would be satisfied to take it if they could change the system of management; you say that there are 68 pilots at Hull; are there pilots at Grimsby as well as at Hull?—Yes, Grimsby, New Holland, and Hull.

5982. Not above Hull?—No.

5983. Is there any pilotage above Hull?—To Goole and Gainsborough, but they are different pilots.

5984. Are steam-tugs used at all for the Humber?—Yes, they are for very large ships; and, I believe, by employing a pilot in many instances money is actually saved to the shipowner. An instance came under my notice three months ago, where a pilot being on board a ship saved the owner 30 *l.* in towage, and under circumstances of difficulty in a gale of wind; we put the pilot on board, and the tug asked 50 *l.*; after the pilot got there, he asked 20 *l.*

5985. Still, steam-tugs are used to a considerable extent, are they not?—Yes.

5986. Are there many steam-tugs in the Humber?—Yes, I should think there are 20.

5987. Are there as many as the trade requires?—Yes.

5988. The ships are not compelled, under any circumstances, to take a tug, are they?—No.

5989. Are you of opinion that if this Humber pilotage were made non-compulsory, it would break up the staff, and that a sufficient number of pilots would not be found?—I think it would have that tendency.

5990. Do you think that there would not be a sufficient number of pilots under the voluntary system?—No; I think you get a better class of men under the present system than you would under the voluntary system; the remuneration would be so intermitting, that no one would like to join the service.

5991. You say that there are a sufficient number of tugs under the voluntary system, why should not there be a sufficient number of pilots under the voluntary system?—I am sure I do not know how to draw the distinctions.

5992. Is it not the fact that you have an ample supply of steam-tugs, although the employment of steam-tugs is not compulsory?—Yes.

5993. That is so, is it not?—Yes.

5994. And yet you think there would not be an adequate supply of pilots if the system were not compulsory?—I think not.

5995. Can you give any reason why you think not?—Sometimes so many vessels come at the same time in the different changes of wind, and now we have not a sufficient staff to meet all circumstances; sometimes 60 or 70 vessels arrive in the river within a very few hours.

5996. But you say there are tugs enough?—If there are 60 or 70 sail of vessels at one time, they must wait if they want tugs; many vessels do not take tugs.

5997. Have you ever heard of a ship wanting a tug and not getting one?—Yes.

5998. Did you ever hear of a ship wanting a pilot and not getting one?—Yes.

5999. You have heard of both?—Yes.

6000. Can you give any reason whatever why you think that, under the voluntary system, there would not be an ample supply of pilots?—I think the remuneration would not be sufficient to make the men join a service of that sort.

6001. Though the remuneration is enough for the tugs?—Yes.

6002. You know that the present system is satisfactory and you do not want to change it?—That is it.

6003. Mr. *Malcolm.*] Is it not your opinion, that if this pilotage became voluntary, pilots would be very apt to do what tug masters do, wait till they saw a fellow in a scrape and go down and make a bargain with him?—Yes.

6004. And that would do away with the regular body of pilots and you would only have men who went out on those occasions for that purpose?—They would be obliged to combine some other business with the piloting to make it pay them. In fine weather they would have to be fishermen.

6005. Do they ever fish now?—No.

6006. You say the narrowest part of the river is about 200 yards wide; they do not beat up that much, do they?—No; by the time they are there the water has flowed, and it is a little better. Small vessels do beat up; it is only the very large vessels that are generally towed.

6007. Speaking of the loss of life, was not there one of the Hull pilots lost at Donna Rock this last winter?—Yes, a vessel went ashore from her anchors; he was not lost in boarding.

6008. You were not asked the question as to boarding?—I understood it to apply to boarding; there was a man drowned from a vessel that went ashore; she broke her chain and was driven ashore by stress of weather.

6009. Mr. *Grieve.*] Have you read this Bill?—Yes.

6010. Are you aware that if this Bill passes, the existing pilotage authorities will still be preserved?—Yes.

6011. Do you suppose the pilots would be able, if the Bill passes, to dodge and suit their convenience in piloting a ship?—The men who have signed the letter were under that impression; I was never under that impression.

6012. The existing pilotage authorities being still in existence, they would take care that you did not dodge and look out for salvage services?—Yes, I understand so.

6013. You said that some of the officials of the Board of Trade visited Hull, and influenced some of these parties in signing this document?—I did not say so much as that.

6014. You insinuated as much?—No, I said after a conversation which a pilot had with Mr. Lefevre, that pilot was the chief instigator of it.

6015. Does that pilot adhere to his original idea?—I do not know; I asked him no questions upon the matter.

6016. Who

6016. Who influenced the parties who put up the counter-letter?—I do not know that they have been under any other influence more than hearing a general conversation upon the matter.

6017. Did you influence them at all?—I have talked the matter over with them most carefully; whether I have had any influence over them or not, I do not know.

6018. Mr. *Cave.*] Was it a Hull pilot that had a communication with the Chairman of this Committee?—Yes.

6019. With regard to that extreme case that you were talking of in the beginning of your evidence, when the pilot could not get on board the vessel on account of stress of weather, what happened; you say that you have known cases in which pilots have refused to board vessels in consequence of stress of weather?—We have to come further into the mouth of the river till we are sheltered by the Stoney Binks.

6020. You show the vessel the way in?—Yes, we fore-sail the vessel in.

6021. When you talked of the gross earnings of the boats, you meant to exclude from that all the expenses of the cutters, I suppose?—Yes, and all the expenses of the establishment.

6022. Is it your experience that the small foreign vessels with six feet draught frequently take pilots?—Yes, in bad weather.

6023. In bad weather only?—In bad weather only.

6024. Then a man who is ignorant of the navigation of the river still works his way up without a pilot in fine weather?—I believe in all cases of vessels coming to the port for the first voyage or two they will take pilots until they obtain a little knowledge of it.

6025. And that knowledge is not sufficient to enable them to go up in bad weather, is it?—No.

6026. Under those circumstances one would imagine that all vessels, the masters of whom are not capable of navigating the river, would take pilots?—I believe they would in bad weather, in fine weather I believe they would not; they would be induced by a wish to save money to run the risk of coming into the river alone.

6027. Do you think that would be the case where a vessel has a valuable cargo?—Yes, I think a master would have an objection to be found fault with by the owner for this item appearing in his account. I know that to be the case.

6028. From your experience do you not think that masters of vessels with valuable cargoes, the pilotage of which must be a much more trifling item than in the case of small vessels, would generally have orders from their owners to run no risk at all?—I do not know that it might be so; that would have to be a matter for future experience.

6029. You have expressed an opinion that even with reference to passenger vessels the masters would rather run the risk than allow this item to appear in their expenses?—There is no doubt some masters would take pilots. Many vessels come to Hull, the masters of which are strangers, and they would take pilots, but that would not be sufficient to keep up a staff of men so as to make the service efficient in bad weather or under extraordinary circumstances.

6030. Upon what do you base that opinion, that with regard to valuable vessels there would still be a number of masters who would run the risk in fine weather of going up without a pilot to save pilotage?—Because we find them trying to evade the rate of pilotage now; our rates alter with a very few miles, and we find them in fine weather trying to avoid the pilotage.

6031. They go round a little further without a pilot?—Yes.

6032. Do you find that that is done with regard to valuable vessels?—No, not with the most valuable vessels; some of the owners really wish to use every endeavour to get a pilot.

6033. I suppose you would say that it is only with reference to inferior vessels that this risk is run?—No doubt of it.

6034. And you think there would be a sufficient number running that risk in case the system was changed, as seriously to interfere with the earnings of the pilots?—Yes; and cause confusion in the trade, too.

6035. In what way would it cause confusion in the trade?—They would go so far up the river, where the rates of the pilots would be so small that the pilots would not be there.

6036. Supposing vessels going up some distance to avoid the rates found no pilots, and got into difficulties, would not that prevent their doing the same thing a second time?—The weather very often changes in a very few hours; we have a very variable climate.

6037. And all that would, therefore, tend to prevent vessels running the risk, would not it?—It would prevent them being competent to pilot their own ships if the weather changed unfavourably.

6038. And they would very soon know it?—Yes.

6039. Under those circumstances, would not that tend to bring employment to the pilots?—Yes; under those circumstances it would, no doubt.

6040. Then your evidence tends to show that; at first you think the masters of vessels would try the experiment of doing without pilots, but after a short experience they would find that they must go back to the old plan?—There is a great deal of trade to our port that is conducted by strange vessels.

6041. And all the strange vessels take pilots, do not they?—Yes; they are obliged to do so now.

6042. Even the small ones?—No, the small ones do not; at first they do, but after a little experience they do not take pilots.

6043. *Chairman.*] Can you tell us what proportion of your employment, as a pilot, comes from foreign vessels?—Very nearly the whole of it.

6044. The masters of the steamers from Hull get certificates, do not they?—Yes, all of them; and many foreigners too.

6045. So that the whole of your employment is from foreign vessels?—Very nearly.

6046. Do you know the navigation of the north channel of the Thames at all?—No, I am not acquainted with it.

6047. You do not know whether it is more difficult than the Hull navigation?—No.

6048–9. You are not aware that all the foreign vessels coming from the north of Europe, though not bound to carry pilots when they approach the Thames by the north channel, do take pilots?—I have heard so.

6050. Are you aware whether foreign vessels

Mr. *Brewis.*

11 May 1870.

are bound under their policies to carry pilots?—Some of them are.

6051. Do you know that all the vessels in the north of Europe are so bound as a rule?—I believe not the whole.

6052. But you distinctly say, that a great portion of your employment is from foreign vessels?—Yes.

6053. I think you told the Committee before I came into the room, that you believed these 40 men who signed this petition in favour of the Bill, were influenced by a visit which I paid to Hull?—No, I did not say so; I understand they were influenced by a conversation which they had with you.

6054. You said they were influenced by a conversation with the one pilot, who was influenced by a conversation which he had with me?—Yes.

6055. Are you sure it was not this, that the pilots influenced me, by saying that the majority of the pilots were against the present system?—It is quite possible he may have said so.

6056. Then the influence was the other way?—It is quite possible he may have said so.

6057. And that the younger and better pilots were dissatisfied with the present system; do you think it is possible that he said that?—I think it is possible that he said so, but if he said so he was decidedly wrong.

6058. Are the 40 men who signed the petition the younger and abler of the lot?—I do not consider that the younger are the abler.

6059. Are they the younger?—Yes, they are the younger, but I consider them the worst pilots.

6060. They are the younger men of the lot, are they not?—Perhaps it may be so.

6061. You say that, with the exception of five, they have recanted their opinions?—Yes.

6062. Have they signed any memorial on the subject?—No, I was not aware that it would be of any use.

6063. Who has persuaded them in the other direction?—I do not think they have been persuaded at all. I think they have seen the error of their ways upon consideration.

6064. At one time they were in favour of the Bill, and in favour of the abolition of compulsion, were they not?—I do not think the great majority of them understood it at all, and they told some one else to put their names to that letter. It is not worth the paper it is written upon, in my opinion.

6065. Mr. *Grieve.*] Do not you think they were told that the same pilotage authority would be over them under the voluntary system?—I cannot say; if you ask them what it is, you will find that they cannot tell you.

6066. Mr. *Cave.*] As I understand you, you want free trade in rates?—Yes. I have asked them how they would alter the system for the benefit of the shipping and the service, and they cannot give anything definite. I would have been willing to assist them in anything that would have benefited myself or the service. I have been all my life in it, and I hope to be a few years longer there, and anything that would have benefited them would have benefited me.

6067. *Chairman.*] What are the exemptions from pilotage at Hull?—The exemptions are certificated masters and mates, and vessels under six feet draught of water.

6068. With those exceptions I believe all vessels from foreign ports are obliged to take pilots?—Yes.

6069. Are all coasters exempt?—Coasters are all exempt.

6070. Then, in fact, it is practically only the vessels coming from the north of Europe or foreign ports that are bound to carry pilots?—Yes.

6071. All foreign vessels are bound to carry pilots?—Yes.

6072. They are commanded by men who know very little about the port, are they not?—Yes; some of them acquire a little knowledge in time.

6073. In your opinion would not a prudent man always take a pilot?—I cannot say; it is possible they may or may not.

6074. Do not you think it most probable that they would take pilots; you must be able to form an opinion upon that point?—I believe they would, under certain circumstances, but in fine weather they would endeavour to evade it.

6075. Do not you think that prudent masters of foreign vessels, knowing nothing of the port, would, as a matter of prudence, take a pilot whether the weather was good or bad?—He would wish to save his owner's money as well as the cargo of the ship.

6076. Do not you think that as a prudent man, knowing nothing about the port, he would take a pilot even in fine weather?—If he knew nothing about the port, he might do so, but with a little knowledge he might be led into error.

6077. The great bulk of them know nothing about it?—No.

6078. Mr. *Graves.*] Do you know the Tyne at all?—No.

6079. Nor Sunderland?—No; I have been in the harbours, but I have no knowledge of them.

6080. Mr. *Norwood.*] Did you see the letter sent by the pilots to the Board of Trade before it was sent?—No.

6081. Have you seen this counter letter which has been alluded to?—Yes.

6082. And you saw the signatures?—Yes.

6083. Of course you do not know how far the signatures were identical in the two documents, because you did not see the first?—No.

6084. You cannot speak positively?—No.

Mr. JOHN LUMSDEN, was called in; and Examined.

Mr. *J. Lumsden.*

6085. Mr. *Norwood.*] YOU are an Alderman and ex-Mayor and Justice of the Peace, of Hull?—I am.

6086. You are a large steamship owner, I believe?—Yes.

6087. And Chairman of the Hull Steamship Owners Insurance Association?—Yes.

6088. And you are also a member of the Chamber of Commerce?—I am.

6089. I believe you are an undrwriter at Lloyd's?—Yes.

6090. In Hull as well?—Yes.

6091. Of course, as a shipowner, you have a thorough knowledge of the pilotage system at Hull?

Hull?—Yes; and I am one of the Commissioners as well.

6092. Are you perfectly satisfied with it?—I am.

6093. Do you avail yourself freely of the licensing of masters and mates?—Yes; all our masters are licensed.

6094. In point of fact, your vessels are not piloted by the staff of pilots, because you have your own men?—They are piloted by our own captains and mates.

6095. Then, as far as you and the local shipowners and those shipowners whose vessels are constantly trading to Hull are concerned, there is no compulsory pilotage?—No.

6096. It only exists towards strangers?—Yes.

6097. It does not exist towards your local shipowners, because you get the captain's licensed?—Yes.

6098. You are aware, of course, that you forfeit your protection as far as shipowner's liability is concerned, by adopting your system?—I believe we do.

6099. You do it with your eyes open?—Yes.

6100. And you are content to do it?—Yes.

6101. Have you heard the evidence of Mr. Bannister and Mr. Dale Brown?—I heard Mr. Bannister's evidence to a small extent.

6102. Did you also hear Mr. Dale Brown's?—Yes.

6103. Did you also hear Mr. Brewis, the pilot's evidence?—Yes.

6104. Do you agree with them as to the difficulties of the navigation?—Yes, entirely.

6105. Are you of opinion that the present system is well managed and efficient?—I am.

6106. And do you think that a change in the form which the Bill proposes would be a disadvantage to the port?—I do.

6107. Do you attend the meetings of the Pilotage Commissioners?—I do occasionally; not very regularly.

6108. But there is always prompt investigation into complaints, is there not?—Yes; we have oftentimes persons reported, and when we have such cases, a thorough investigation is made.

6109. And you have been satisfied with the results?—Thoroughly so.

6110. Do you concur with the previous witnesses, who have stated that all interests in Hull, public and private, are well represented upon this board?—Yes.

6111. And, in fact, the basis of it is a liberal representative body; is it not?—It is.

6112. Have the Hull Chamber of Commerce and Shipping considered this Bill, and do they approve of it?—The two departments have considered it, the Shipping Committee as well as the Chamber of Commerce Committee, and both of them disapprove of it.

6113. I believe you are a large steamship owner, and you have other interests besides that of the port of Hull?—Yes.

6114. Do I understand that you approve of compulsory pilotage as a general system, setting aside Hull?—Yes, I approve of it generally.

6115. And that your system is a modified system, being perhaps the most liberal compulsory system in existence?—Yes.

6116. Setting aside that, you think that it is desirable, in the interests of the shipowners and the merchants, and the country generally, that there should be compulsory pilotage?—Yes, I do.

6117. Of course you know that there are ports which are not so difficult of entrance as the Humber?—Of course they vary very much in that respect.

6118. And you would not object, when your master was competent to take a vessel in, to pay compulsory pilotage?—No, I would not.

6119. Have you considered the question which has arisen very much in our investigation, with regard to the shipowner's liability; did you hear Mr. Bannister express an opinion that the employment of compulsory pilots should not exempt a shipowner from responsibility?—I was just entering the room when I heard that.

6120. What is your opinion upon that point?—It is very desirable with compulsory pilotage that the ship should be free from liability.

6121. You think that the general law of the land, the common law, which is to the effect that a man cannot be held responsible except for his own deeds or that of his servant, should be held good in shipping as well as in everything else?—Yes.

6122. And you do not see why a shipowner should be made responsible for the acts of a man thrust upon him without the power of selection?—No.

6123. Then you differ with Mr. Bannister upon that point?—I do.

6124. The theory in favour of compulsory pilotage, I presume, is this: that there is an exceptional and difficult navigation which an ordinary master is not acquainted with, and with which he is unable to cope?—Yes; there are peculiarities in every port, and those men who are trained are thoroughly aware of all the peculiarities of the port, and they are therefore the best qualified to pilot a ship in.

6125. If the compulsory employment of these men is considered necessary in the interest of the public at large, are you not of opinion that the men you are compelled to take on board the ship should have the control of the ship within that district?—Yes.

6126. You do not see your way to having a divided authority; that the master, notwithstanding his ignorance, should be presumed to be superior to a qualified man?—No, I think not; I think the pilot should be made responsible.

6127. Do you consider that the navigation of the Humber and its approaches is so exceptional and dangerous and difficult, that it ought to be excepted in this Bill?—I should like the other places to conform to Hull.

6128. You would have a universal system similar to Hull all round the coast?—Yes.

6129. Irrespective of the less or greater difficulties?—Yes; I think the same rule ought to apply to all.

6130. You would like to see the Hull system extended?—Yes; I think it would meet all cases.

6131. Of course you know that there are many ports, especially in the north, Sunderland, Newcastle, and other places, where there is no compulsion?—Yes.

6132. And where there is a pilotage system?—Yes.

6133. And notwithstanding that, you would like to see the Hull system universal?—Yes.

6134. Do you speak as an underwriter as well as a shipowner?—Yes, I speak as an underwriter in that respect.

6135. You would feel more satisfied in settling

Mr. *J. Lumsden.*

11 May 1870.

a loss which occurred in home waters, if the vessel was in charge of a pilot?—Decidedly so.

6136. Have you made any suggestion for the improvement of the Hull system in the details of management?—No; I think it is as perfect as anything of the sort can be.

6137. Is there any extravagance, that you know of, in the management?—No.

6138. I believe the men are fairly remunerated and highly respectable?—Yes.

6139. And you consider their calling a risky one, outside in bad wetaher?—Yes.

6140. They get north-easterly winds in Hull, do not they?—Yes.

6141. And at that time it is not very pleasant to be cruising outside with a lee shore?—No.

6142. With the Stoney Binks close upon them?—By no means.

6143. Mr. *Price.*] You said that you gave that opinion as an underwriter, as well as a shipowner?—Yes.

6144. Do you underwrite largely in the port of Hull?—Yes.

6145. Do you make any condition in the policies issued, as to the taking of a pilot?—Never.

6146. Supposing you were to underwrite a foreign ship going to some port where you knew that the non-compulsory system of pilotage prevailed, would you insert any condition in their policies, as to taking a pilot?—Almost all the ships we insure in Hull, are trading foreign.

6147. They come to Hull from some foreign parts?—Yes; or they go to some foreign parts.

6148. Supposing a Hull ship, for example, were going to the Baltic to take a cargo to some port where you know that pilotage was not compulsary, would you think it necessary, if you were the underwriter of that ship, to insert a provision with regard to taking a pilot?—We insure them for twelve months without knowing to what particular places the ships may be going.

6149. It is natural to you as an underwriter, to prefer that the ships should be under the charge of a man who thoroughly understood the navigation where the navigation was difficult?—Yes.

6150. You do not claim Hull to be an exceptional case; you do not say that it is more dangerous than some other ports?—It is more dangerous than some ports.

6151. If the system of non-compulsory pilotage were thought necessary for the country altogether, you would not plead that you should retain your system in Hull because it was more dangerous than some places?—In Hull there is less danger arising from the fact that we have a well-qualified body of masters who are licensed pilots of the port, who have great experience, and are well acquainted with the navigation.

6152. You do not consider that the navigation of the Humber is more difficult, and more dangerous than the ordinary navigation of a river of the same size?—Probably not of the same size; of course it is so more than many rivers.

6153. You think it important that you should maintain there a sufficient staff of duly qualified men?—Yes, I do.

6154. I think you said you were chiefly owner of steamships?—Entirely.

6155. You never have occasion therefore to take steam tugs?—Rarely.

6156. With regard to the sailing vessels resorting to the port of Hull, do many of them employ steam tugs?—They do occasionally; but they would frequently employ steam tugs if they were always available in coming up the river. The steam tugs are not often on the outside, and the pilots therefore get hold of the ships before they have the chance of getting under the care of steam tugs.

6157. I believe in the case of adverse winds ordinary sailing vessels do frequently avail themselves of the assistance of steam tugs?—Yes; to prevent delay.

6158. Have you plenty of steam tugs in the Humber?—There are a good many.

6159. Are there as many as the trade requires?—I think that there are as many as the trade usually requires.

6160. But the employment of a steam tug is not compulsory, is it?—No.

6161. If there are a sufficient number of steam tugs as the trade requires under a perfectly voluntary system, why should not there be a sufficient number of pilots under the same circumstances?—Because the parties coming up there would desire naturally to get rid of the expense of the pilots.

6162. Why should they desire to get rid of the expense of pilots if they wanted them, any more than they would get rid of the expense of steam tugs if they wanted them?—In many cases they would run risks in order to avoid expense.

6163. You do not understand my question; you say that there are a sufficient number of steam tugs for the service of the trade, although the employment of steam tugs is not compulsory, but you say that you are afraid, if the employment of pilots was not compulsory, there would not be enough pilots; what is the difference?—The steam tugs take hold of them in the river when they have got partially up; the pilots take hold of them upon the outside and take them into the river.

6164. That is because the pilot is wanted outside the river, but a steam tug is not wanted outside the river?—The steam tugs do not often go outside the river; if they went, it would be a heavy expense, and they do not know that they would be required.

6165. Does a man ever want a steam tug when he cannot get one?—Yes.

6166. And does a man want a pilot when he cannot get one?—Sometimes it happens, but very rarely.

6167. Did you hear the evidence of the last witness, the pilot?—Yes.

6168. Did you hear the whole of it?—Yes.

6169. He said that they did sometimes want a pilot, and they could not get one?—Yes, occasionally, when the state of the river was such that the boats could not get out.

6170. Your opinion as to the system of pilotage does not seem to be confirmed by the opinion of the pilots themselves, because 42 of them out of 68 seemed to have expressed their opinion in writing by a memorial to the Board of Trade, that they would prefer the voluntary system of pilotage, with certain alterations in the management?—I have heard that it was entirely from a misunderstanding of the Bill that they sent that, and that they are now, almost to a man, in favour of the continuance of compulsory pilotage.

6171. Although they may have been misled, or may have misunderstood the scope of the Bill, the opinions which they did express are probably their

their opinions still upon the general question?—The ground upon which they were disposed to get rid of compulsory pilotage was, that they would all receive compensation from the Board of Trade for loss of employment.

6172. That is not what they state in their letter; as I understand their letter, they say that a smaller staff and a less expensive system would be adequate for the purpose; and that under an improved management, and more especially under the management of the Board of Trade, a less staff of pilots and a less expensive machinery would be adequate for the purpose. You do not agree in that opinion?—No.

6173. Still they would probably understand the necessities of the case, being engaged in the service?—No doubt they would prefer a reduction in the number of pilots, knowing that their pay would be so much more. If there were 50 pilots instead of 68, and they could do the work, the 50 would receive the same amount of money that the 68 now receive.

6174. But you see, according to the expression of their letter, they would be willing to accept the non-compulsory system of pilotage, with an improved management?—Yes.

6175. You understand that implies that they would run the risk of the voluntary system if their organisation could be brought into harmony with it?—Yes; very likely they were under the impression that a smaller number would then be employed, and that the receiving of the same amount of pilotage would give them more money. I think that is the ground of their wishing compulsory pilotage to be done away with.

6176. It did not seem to be supposed by them that by making it non-compulsory they would never be employed at all?—They would be employed, there is no doubt of it.

6177. Are you satisfied yourself with the existing system?—Yes, I am.

6178. *Chairman.*] I do not see anything in this memorial of the Hull pilots with reference to compensation?—I had not seen the document until I heard it read now.

6179. Just look at the document (*handing the same to the Witness*); it is printed upon our minutes. Is there anything in that document which leads you to believe that they had compensation in view when they wrote it?—No; there is nothing in that document to lead me to do so.

6180. Would it not seem from that document that they thoroughly understood the nature of the Bill; namely, that it was a substitution of the voluntary system for the compulsory system?—No; I think it is a very confused document, so far as I am able to judge of it.

6181. Still the pilots must pretty well understand at once what is the difference between a compulsory employment of their services and a voluntary one?—Yes.

6182. And that they could very soon make up their minds as to which was most likely to be for their benefit?—They would no doubt make up their minds very soon; but it appears that they have changed their minds.

6183. You are a steamship owner?—Yes.

6184. May I ask whether the steam-shipping trade of Hull has been increasing very much of late?—Enormously.

6185. Almost the whole of the British trade from Hull is carried on by steamers, is it not?—Yes, nearly.

6186. And all the British vessels now leaving Hull for foreign ports are steamers?—Yes; mostly.

6187. On the other hand the foreign trade is mostly in sailing vessels, is it not?—No, the inward foreign trade is carried on principally by steam.

6188. Still there are a considerable number of foreign sailing vessels coming to Hull, are there not?—Yes, but they are very small comparatively; those importing wood of course continue to use sailing vessels, but almost all other goods come in steam vessels.

6189. Are the masters of your vessels certificated?—Yes.

6190. Do you agree with the last witness that nearly all the British vessels sailing from Hull, have certificated masters or mates on board?—Not all the British vessels, nearly all of the Hull vessels have.

6191. So that the employment of pilots is mostly confined to foreign vessels, and those few vessels belonging to other ports?—Yes.

6192. Do the pilots occasionally get any employment from the vessels owned in Hull which have got certificated masters?—No.

6193. They very rarely want a pilot?—No, of course the steamers have not always certificated masters on board, strangers coming in, have a little time given them to qualify them for passing.

6194. What time is given to them to pass?—I do not think any pass, except they have had from one to two years' experience going up and down the river.

6195. Do the Trinity House give certificates to foreign masters?—Yes.

6196. You are aware that the owner whose master is certificated for pilotage is responsible for any damage if he comes into collision with a vessel which is under compulsory pilotage?—Yes.

6197. That is supposing his own vessel is to blame?—Yes.

6198. Has there been any inconvenience felt by the owner of one vessel not being able to recover from the owner of another vessel, under the compulsory pilotage system?—It very rarely occurs that the vessels get damaged.

6199. There are very rarely cases in which accidents occur in the Humber?—That is so.

6200. The shipowners of Hull have not felt that inconvenience?—No.

6201. Your idea is that exemption from liability, under compulsory pilotage, ought to remain on the owners?—Yes.

6202. That is, where he is bound to carry a pilot he ought not to be responsible for his negligence?—Yes; I speak of the vessels frequenting the port.

6203. You are of opinion that the exemption ought to remain, where the master is bound to carry a pilot, and that the owner ought not to be responsible for his negligence?—We are satisfied that it should be so; we prefer the ships to be freed from all liability.

6204. But if there is to be a liability, you think the owner should be exempt if he is compelled to carry a pilot?—Yes.

6205. Have you any experience of ports where pilotage is voluntary?—No.

6206. Do you know anything of the North Channel, of the Thames, to which vessels come from the north of Europe?—No.

Mr. J. Lumsden. 11 May 1870.

6207. As an underwriter, are you aware to what extent, in foreign policies of insurance, vessels are bound to carry pilots?—No; not being resident in London, I am not personally acquainted with it; I have a writer, on Lloyd's.

6208. Do you know whether the masters of vessels from the north of Europe are bound, under their policies, to take pilots?—I presume they are all bound to take pilots, by the compulsory pilotage system.

6209. I mean, independently of whether compulsory pilotage is the law in a port, are you aware whether, under their policies of insurance, they are compelled to carry pilots?—I do not know that.

6210. Mr. *Norwood.*] Did you ever know a policy of insurance to contain a clause of that kind?—No.

6211. Mr. *W. Martin.*] You say that you only referred to the Humber when you said that accidents rarely occurred in running-down cases?—Yes, I said so.

6212. Is that because there are comparatively few small vessels going in and out of the Humber; are there not many brigs and schooners that frequent the port?—Nothing equal to the number of steamers.

6213. While the pilot is on board getting the vessel up he is the servant of the shipowner, is he not?—I do not wish to consider him so, and I have not considered him so.

6214. You employ him to do a certain thing?—Yes; but we are compelled to employ him.

6215. You say that you have no power of selection?—No.

6216. Are not all these Humber pilots licensed by the Trinity House regularly picked men?—Yes.

6217. And very superior to your own masters, are they not?—No, we do not think so.

6218. Would not you like to be free from taking pilots at all, and let your own masters pilot their own vessels?—We are free from compulsory pilotage; we have licensed masters in our ships.

6219. I thought you said that you were obliged to take a pilot, and had no power of selection?—Our own steamers trading from Hull are not compelled to take them.

6220. *Chairman.*] You say that pilotage is free with regard to Hull vessels, because they are all commanded by masters who have got pilotage certificates?—Yes.

6221. So that, practically, compulsory pilotage does not fall upon the Hull owners at all?—No.

6222. They are free from it?—Yes.

6223. And it only affects foreign-going vessels, or vessels going to other ports, whose masters are not certificated?—Yes.

6224. We have been told that a vessel that has to take a compulsory pilot pays the pilot 30*s.* for taking the vessel up to Hull; do you think that any owner has the right for the sum of 30*s.* to get rid of his responsibility?—Yes.

6225. We are told that the average income of a pilot is about 150 *l.*; if a compulsory pilot runs down an innocent vessel lying at anchor, in its proper place, is not the remedy of the owner of the innocent vessel against the pilot a perfect farce?—Undoubtedly.

6226. Do you think that just towards the innocent vessel?—It would be equally unjust towards the other vessel that ran her down with a compulsory pilot on board.

6227. As some innocent party must suffer, do not you think the most guilty party should suffer?—Who is the most guilty? I do not consider that a master who is compelled to take a pilot is the most guilty.

6228. I speak of a vessel going to anchor at the anchorage appointed by the Trinity House; I take an actual case that has happened, namely, that of the "Sentinel;" a vessel with a pilot on board was run down by her; it was a total loss, cargo and everything else; do not you think, as far as either is guilty or innocent, the vessel that came into collision is more guilty than the one that was lying still?—Yes; as a matter of degree.

6229. Somebody must suffer, and do not you think that the proper person to suffer is the man who runs her down?—But in the case you put there was a pilot on board, and the pilot ran the vessel down; she was under the command of a pilot.

6230. These is a dispute as to whether she was under the command of the pilot; according to you a master may just as well go to bed as soon as he gets a pilot on board?—No; I think he ought to exercise proper caution, but not to make himself responsible.

6231. Here there are two parties, both to a certain extent innocent; but as a vessel running down the other which is *primâ facie* the more guilty of the two, do not you think that vessel ought to pay for the accident; it is quite clear that the vessel at anchor was innocent?—I think it is clear that the party being compelled to have a pilot on board should be exonerated.

6232. Then you think the person who obeyed the orders of the Trinity House, and went to the moorings ordered by the Trinity House, and who in broad daylight, and in the broad part of the river was run down ought to bear the total loss; do you mean to say that the underwriters of the lost vessel ought to suffer, and the "Sentinel" go scot free, which is according to the present law?—Yes, I think so, if they had a compulsory pilot.

6233. A compulsory pilot was only there because the law says that a passenger vessel should carry a pilot; do you think it is just under those circumstances that the mere fact of an incompetent pilot being on board should free the owner from all blame?—Yes.

6234. *Chairman.*] Have you formed any idea as to what extent the employment of pilots would fall off if this Bill passed?—It would fall off to a large extent.

6235. What is your ground for saying so?—That vessels not requiring to take a pilot would naturally wish to escape the expense of taking one.

6236. In your opinion would foreign vessels that had not frequented the port, come in without taking a pilot?—I think they would to a large extent; of course the risks in the river are considerable even in fine weather, and if the weather were fine I think they would take the chance of getting up safely themselves.

6237. I suppose the foreign vessels coming to Hull are mainly from the north of Europe?—Yes.

6238. Would not your opinion be considerably modified if you found that the same class of vessels approaching the Thames, though not compelled to take pilots, do invariably take pilots; vessels from the north of Europe, between the Elbe

Mr. J. Lumsden. 11 May 1870.

Elbe and Brest and from the Baltic, are not compelled to take pilots up the Thames?—I was not aware of that.

6239. Are you aware that all these vessels do take pilots when they approach by the North Channel?—I cannot say.

6240. Would not, then, your opinion with regard to the effect of the Bill upon Hull pilotage be considerably modified if you were fully convinced upon that point?—Do they, in point of fact, take pilots.

6241. They do take pilots, though they are not bound to take pilots; and those are the same class of vessels that frequent Hull?—Yes; but the chances of collision in the Thames are much greater than in the Humber.

6242. We were told to-day that the navigation of the Humber is more difficult?—Yes; but the number of vessels in the Thames is so large that the risk of collisions must be greater

6243. But the navigation is easier?—Yes.

6244. Balancing the two together, do not you think that they would all take pilots in coming into Hull?—I think not.

6245. Would your opinion be at all modified if you were informed that they are compelled to take pilots under their policies of insurance?—Of course, if they are bound to take them.

6246. In fact, the question of the Hull pilotage turns upon the extent to which foreign vessels coming there would take pilots; is not that so?—Yes.

6247. The employment of pilots in the Humber will depend upon the extent to which foreign vessels will continue to take pilots if this Bill is passed?—Yes.

6248. If it is shown that they will continue to take pilots, Hull will be practically unaffected by this Bill?—Yes; if the vessels that are now compelled to take pilots continue to take pilots, the thing remains unaltered.

6249. If the great bulk of them continue to take pilots, Hull will be unaffected by this Bill?—Yes.

6250. Mr. *Cave.*] Supposing it turned out that, under the voluntary system, fewer vessels took pilots, do you think the underwriters would provide against that by inserting in their policies an obligation to take pilots?—Yes, or by increasing the premium.

6251. Which of the two do you think would be done?—It is difficult to say which would be done; it would be a matter of consideration; some people might adopt one and some the other.

6252. Have you considered the question yourself very much?—Not particularly so.

6253. We had very strong evidence from the Liverpool underwriters, who said that they could not insert such an obligation in their policies; that it would be embarassing, and that people would not like it, but that they would simply place a general war risk upon the vessels, and increase the premiums; would that be your opinion?—Decidedly it would increase the premiums, because if you put a clause in the bill of lading, saying that they should be compelled to take pilots, and there were not pilots ready to do the service, they would be detained. Supposing the number of pilots fell off and they became an inefficient body, it would cause great delay.

6254. And by inserting such an obligation in your policy you might increase that risk which you are endeavouring to avoid?—Yes.

6255. Mr. *Norwood.*] The honourable Member for Gloucester put a question to you, endeavouring to elicit from you that there was an analogy between the law of supply and demand in the case of steam tugs and pilots; is there not this essential difference between the two, that a pilot has to work for a fixed remuneration, whereas the owner of a tug boat can make his own bargain, and would be induced to go out in bad weather for the extra remuneration; the pilot would not have the power of doing that under a fixed rate?—No doubt the pilot has a fixed rate.

6256. And it will be extremely desirable, for the interests of the shipowners and everybody else, that the pilot should not have the power of making a bargain?—Yes.

6257. It would then come within the nature of salvage arrangement?—Yes.

6258. So that the law of supply and demand is not precisely analogous in the two cases?—No.

6259. With regard to the question put by my honourable friend the Member for Rochester; the vessels themselves are mere inert matter, and they cannot do harm or good without the motive power, and therefore the "Sentinel" was not so much to blame as the man who directed her motion, and he was a compulsory pilot?—Yes.

6260. And though it was a hardship upon the vessel that was run down, there would be an equal hardship upon the owner of the "Sentinel" being compelled to pay for the laches of the pilot?—Yes, and a much greater hardship, in my opinion.

6261. Mr. *J. S. Hardy.*] If the "Sentinel" had not been sailing in compulsory pilotage waters she would have been responsible for the ship she ran down, would she not?—Yes.

6262. Supposing she were coming in in rough weather, she would be practically obliged to take a pilot, and have no choice of the man she was to take, even if she were in non-compulsory waters?—No.

6263. And she would be obliged to take the first person who came?—Yes, she might be.

6264. And in that case there would be no grievance in the owner being responsible for the ship his vessel ran down?—If he chose to take one.

6265. If he has a compulsory pilot on board, he is not bound to employ him, and he need not take his advice, as long as he pays him?—Then he is taking the responsibility upon himself.

6266. Then, though he is obliged to take a pilot in consequence of stress of weather, and has no choice, in the one case it is no grievance that he should be responsible, but in the other case it is a grievance?—It is a grievance in another way, that is, from the stress of weather.

6267. He is not obliged to take the pilot's advice?—Then he takes upon himself the responsibility.

6268. If he thinks the man is going wrong, he has the power of not taking the man's advice?—Of course.

6269. Mr. *Price.*] Are the steam-tugs chiefly held by companies?—No, they are held by private individuals.

6270. I suppose in most cases one man will hold several?—Yes, as a representative man. One man may have three or four tugs, but there are other parties with him in the ownership.

Mr. *J. Lumsden.*

11 May 1870.

6271. Where are the tugs stationed?—They are about the dock gates mostly.

6272. They are not cruising about, but waiting till they are wanted?—They are in the neighbourhood.

6273. Do you know the course of proceeding if a ship coming up wants a tug; how does the master get a tug if he wants one?—I do not know.

6274. Do not you know that there is a scale of charge for a tug; if they send for a tug, does not a tug come out at a small recognised rate?—No.

6275. If that was so, it would bring the pilot and the tug to the same condition, and an analogy would exist?—There is no scale that I am aware of.

6276. You do not know the fact?—I know that when we have employed tugs, we have paid on a different scale.

6277. You pay a different scale according to the size of the ship; is it a matter of bargain?—It is a matter of bargain on all occasions, so far as I understand. My experience is not large in that, because our steamships rarely require tugs; but where we require them, which we do occasionally in taking them to the slips, or from one dock to the other, it is simply a question of bargain.

6278. Mr. *Norwood.*] I suppose if there was a large ship she would be moored in one of the roads in the lower part of the Humber, in a place of safety, and upon a communication being made for a tug-boat would be sent down, and she would be towed up?—Yes, and they are often going down to look for a job themselves.

6279. Mr. *Price.*] As I understand, your answers about the compulsory system are not given for yourself, because it does not affect you?—No, except as an underwriter.

6280. As a shipowner, you are anxious for the good of the trade and not for your own ships?—Yes; we are perfectly satisfied with the present system, as far as regards our own ships.

6281. Because your ships are exempt?—Yes.

6282. And, probably, the other people would be satisfied if they were exempt also?—Yes, I daresay they would.

6283. *Chairman.*] All vessels in ballast from Hull to other ports are not bound to carry pilots, are they?—Not for the coast.

6284. I suppose a considerable number of vessels come into Hull with timber, and they have to go elsewhere for cargoes?—Yes, they have to go to the north frequently.

6285. Many masters of vessels do not know Hull at all?—No.

6286. Do they take pilots when they go out in ballast?—Whether they practically do or not, I am not able to say.

Mr. John Harvey, called in; and Examined.

Mr. *J. Harvey.*

6287. Mr. *Norwood.*] I believe you are a Humber Pilot?—Yes, and I have been for 24 years.

6288. Are you a master?—No.

6289. Were you in the room when Mr. Brewis was examined?—Yes.

6290. You heard all he said?—Yes.

6291. Was he correct in what he said?—I quite agree with him in all he said.

6292. Do you agree with him about the danger, under certain circumstances, of cruising outside?—Yes.

6293. And about the sandbanks inside?—Yes.

6294. Are you one of the gentlemen who signed that letter to the Board of Trade?—No; I did not know anything about it till it was gone, and have not known much about it since. I did not know the purport of it till I heard it read here.

6295. Do you know that many of the men who signed that letter regret having signed it?—I have heard them say so themselves.

6296. *Chairman.*] Are any of them here to speak for themselves?—No.

6297. Have any of them come up as witnesses?—No.

6298. Mr. *Norwood.*] I ask you whether you yourself have heard them say so?—I have heard some of them say that they are sorry they signed it, and that they signed it under a wrong impression.

6299. I understand you distinctly to say that you confirm what Mr. Brewis said?—Yes.

6300. And he said nothing but what you agree with?—No.

6301. Have you any fault to find with the management of the Commissioners?—No; the service is as good as it has been since I have been in it; I have been quite satisfied with it since I have been in it.

6302. And you believe that the shipowners are also satisfied?—I believe so, as far as I have heard them say.

6303. *Chairman.*] Do you agree with the other pilot that your employment is mainly from foreign vessels?—Yes.

6304. And that you are very seldom employed by any British vessels?—We are not employed by a great many; not by so many as we used to be, in consequence of the increase of steamers.

6305. Can you tell me what proportion of vessels that come into Hull take pilots?—I should say that at least three-fourths in number take pilots; not in tonnage.

6306. I understand you to say that three-fourths of the tonnage of all the vessels take pilots, and that the British vessels very seldom take pilots?—I mean foreign-going vessels; not coasters.

6307. It is mainly foreign vessels from whom you get employment?—Yes.

6308. Are you under the impression that your employment would fall off if the Bill is passed?—I think so.

6309. Is that on the ground that the foreign vessels would not take pilots?—Yes.

6310. Supposing it was shown to you that foreign vessels would take pilots, what would be your opinion?—If you could prove that to me, it would alter the question.

6311. The effect then would be nil?—If the vessels took pilots the same as they do now, it would make no difference.

6312. It would depend upon whether the foreign vessels would take pilots or no?—Yes.

6313. Is

6313. Is it not the case that many of these vessels have not come to Hull at all before?—Yes.

6314. Do you think, as a prudent man, that it would be wise for one of the foreign vessels to come in without a pilot?—No; no prudent man, being a stranger, would come in without a pilot.

6315. I presume that most of the foreign sailing vessels are now towed in by tugs?—The larger vessels are, but not the smaller ones; that is to say, from the inner part of the river; sometimes they are towed in from the sea entirely; sometimes they take a tug four or five miles down the river.

6316. In your opinion, is it equally necessary for vessels in tow of tugs to carry pilots as vessels without tugs?—Yes.

6317. Do you think it important that sailing vessels should have a pilot on board, even though they have a tug?—Yes; I have often more difficulty with a tug ahead of a ship than without one.

6318. Is it the general practice of a pilot on board of a vessel, to direct the course of the tug?—Yes; the masters of the tugs are generally very careless.

6319. The rule is, that the tug takes its direction from the sailing vessel?—Yes, as a rule.

6320. Is it not the invariable rule that the master of the tug takes his directions from the vessel, and not the vessel from the tug?—When I am on board a vessel drawing any depth of water, I always give a caution to the master of the tug to keep ahead of the ship.

6321. Do not you think that the masters of foreign vessels that take tugs would, as prudent men, take pilots also?—If they were prudent they would.

6322. Is it not the fact, that the great bulk of the masters of foreign vessels are more prudent than our own masters?—I know many of them would go without pilots until they get into difficulty.

6323. Is it not generally the case that the masters of these foreign vessels are rather more prudent than our own masters?—A great many of them are.

6324. Is not that the general character of the north country masters?—Yes; it is so.

6325. They are more prudent, as a rule, than our own masters?—As a rule they are, I admit that; but still, there are many of them not prudent.

6326. Do you agree with the memorial which the 40 pilots sent to the Board of Trade, that there might be a considerable reduction in the expense of management?—No, I do not agree with that; I do not think there could be a reduction; it seems to me a very lame argument, because only six or seven years ago we increased the size of our cutters to make more accommodation for the pilots.

6327. That letter points to a fewer number of boats?—We could not do with less to do the work properly.

6328. And provided that the same number of pilots is required, you would also require the same number of boats?—Yes.

6329. I believe the pilots of Hull share and share alike; the whole proceeds are divided amongst all?—Yes.

6330. So that the old men get the same as the young men?—Yes; the young men, when first made pilots, get the same as the old men.

6331. Is it not the fact, that most of the men who signed this memorial were the younger men of the lot?—They were mostly young men.

6332. Do not you think that they might like to break up the present system, under which the pilots share and share alike, and have a system in which a man would get what he earns for himself; should not you think that influenced them?—I should not think so at all.

6333. Should you be surprised to hear that it was the wish of the young men to be allowed to earn as much as they could, and not to put their earnings into hodge-podge?—It has been our opinion for some time that the young men ought to be on the second class; they ought not to get so much as the older ones.

6334. Possibly the young men have a different opinion upon the subject; they think that they ought to have more?—I suppose they do.

6335. This arrangement of all dividing equally is not a very popular one amongst the young men, is it?—I think it ought to be; they do no more than older men do.

6336. Would not they like to do more?—I do not think they would do more, from what I know of them.

Friday, 13*th May* 1870.

MEMBERS PRESENT:

Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Charles Turner.
Sir Charles Wingfield.

MR. JOHN SHAW LEFEVRE, IN THE CHAIR.

Mr. ANTHONY BANNISTER, was called in; and further Examined.

Mr. *Bannister.*
13 May 1870.

6337. Mr. *Norwood.*] IN the course of your examination on Wednesday you made a reference to a document produced by Mr. Farrer, Secretary to the Board of Trade, emanating from certain pilots at Hull, complaining somewhat of the management of the pilotage, and expressing an opinion in favour of this Bill, you stated in your Evidence that a counter document had since been signed by several of the pilots, who had signed the original document, and that in point of fact the opinions of the greater portion, if not all, of the pilots had changed; have you got that document?—Yes.

6338. Will you read it?—"We, the undersigned pilots of the River Humber, do hereby express our desire that a petition be prepared from us to be presented to the House of Commons, praying that the pilotage of the River Humber may be exempted from the operation of the Compulsory Pilotage Act. That Messrs. Holden & Sons be desired to prepare such petition, and represent us as our solicitors." That is signed by 56 of the pilots, the greater portion of whom had signed the previous document which Mr. Farrer produced here at the first meeting of the Committee.

6339. Will you state the date of that document?—It is dated the 14th of March 1870.

6340. Are you able to state the date of the document handed in by Mr. Farrer?—No.

6341. You know that the date of this document is subsequent to the other?—Yes.

6342. Mr. *Cave.*] You do not know how long after it was drawn up?—I do not; I never saw it, and I do not know anything about it.

6343. Mr. *Gourley.*] Who caused the pilots to change their opinions?—The pilots did not understand what was in the Bill, and as soon they had it explained, and had the Bill read over to them, they changed their minds and they said, "We must be represented in order that we may have our just rights," and they came to this resolution to petition against the Bill.

6344. What was their opinion of the Bill, when they signed the first petition?—They said that it arose from a misapprehension on the part of a man of the name of Richardson, who was sent on board the Trinity yacht during the autumn of last year, when this question was talked over, and he came to the conclusion that the pilots were going to be their own masters, and all sorts of things were to happen to them, and they thought it a good thing to get rid of the commissioners and every body else; and they signed this document, which was presented to the House by Mr. Farrer, or somebody else.

6345. They believing that by the voluntary system the management would be taken out of the hands of the Pilotage Board?—Yes, they thought they could have it all their own way, and do what they pleased, they thought it the best thing.

6346. Sir *Henry Selwin-Ibbetson.*] When they found that the Bill did not carry that out, they changed their minds?—Yes, they did not know what was in it.

6347. Mr. *Grieve.*] How many have changed their minds?—I am not in a position to say; 56 have signed this document, there are only 68 pilots altogether; the greater portion of those that signed the first petition signed this, and 40 here signed on the other side.

6348. *Chairman.*] Do you say that these persons who signed this document are the same persons who signed the petition to the Board of Trade?—I believe so, I understand the greater portion are.

6349. Do you know how many?—I have never seen the other document, therefore I cannot say; but the men themselves told me that they had signed the other document.

6350. Which men?—The men who signed it.

6351. Were you present when this was signed?—Fifty-six signed it.

6352. How many of the men told you that they had signed the other document?—Several of them, I cannot say how many.

6353. You say there were 40 who signed the other document?—I believe the greater portion of the 40 have signed this.

6354. Do you know how many?—No, I cannot say, because I have not seen the other document.

6355. Are any of the men who signed the original document here to give evidence?—No, all I had to produce was this document. Within

five

five or six, those who signed the second document have signed the first one.

6356. Mr. *Gourley.*] Where was that petition signed, was it signed in the Pilotage Board Office in Hull?—It was signed at a meeting of all the pilots.

6357. Was that at the Pilotage Board Office in Hull?—Yes.

6358. *Chairman.*] This document does not express any opinion upon compulsory pilotage, does it?—Yes, it expresses the opinion that they would like to be left out of this Bill altogether.

6359. But they do not express an opinion of satisfaction at the present state of things at Hull?—They do not want any change to be made; they believe compulsory pilotage to be all right.

6360. Those are not the terms of the document?—As I read it, that is what it means.

6361. Are any one of those pilots who signed the original document, who have changed their minds and signed this document, present to give a reason for that change?—I could have them here, but they have not come.

6362. Though you brought two of the pilots up here on Wednesday, you did not think it worth while to bring up any of the pilots who signed the original document?—The commission cannot afford it.

6363. Though you brought up two pilots to give evidence against the Bill, yet you did not think it worth while to bring up one of the men who having signed the petition for the Bill has changed his mind?—We did not think it necessary.

6364. You did not think it desirable to do so; was that it?—Yes.

6365. You thought it desirable to have two of the pilots here to give evidence against the Bill, but you did not think it desirable to have one of those who having signed the petition for the Bill, has changed his mind?—We were advised to cut it as short as we could.

6366. Were not you advised that it was not desirable to bring up one of those pilots?—No.

6367. Why did not you bring one of the men?—We did not think it necessary.

6368. Surely it is very material that one of those men having originally signed the petition for the Bill, and who has since changed his mind for reasons satisfactory to himself, should be here to explain his reasons; but you did not think it desirable to bring him up here?—We did not think it desirable, because we thought that when the two things were put together, they could be easily proved.

6369. Is it not very material to the Committee that the men who had originally signed the petition for the Bill, having subsequently changed their minds, should be here to give their reasons for so doing?—We did not think it necessary to clog the evidence with more than we could help.

6370. You thought the evidence immaterial?—All they could say if they were here is, that when they signed the first document, they did not know what they were signing.

6371. Is it not probable that they did not quite understand it, when they signed the subsequent one?—It was read over to them; but the other document was not read over to them; half the people signed it, and did not have it read over to them.

6372. Mr. *Grieve.*] Did you hear any of them say so?—Yes.

6373. *Chairman.*] Did not you think that evidence upon that point, should be brought from the men who were parties to it?—It is easily got over.

6374. But your opinion is that it was not material to bring any of the men up?—We did not think it desirable to take up the time of the Committee.

6375. You thought it desirable not to bring them here?—We did.

6376. Sir *Henry Selwin-Ibbetson.*] I understand that it was a pilot of the name of Richardson who got the pilots to sign this document?—That person was a pilot on board the Trinity yacht last autumn, when it was on the Humber; the people on board gave him a glass of wine, and treated him very well.

6377. Mr. *Norwood.*] You mean to say that it was the yacht on which the honourable Chairman was on board?—Yes.

6378. *Chairman.*] What do you mean by suggesting that he was behaved very well to?—He said he never enjoyed himself so much in his life; he was on board a capital ship, and he was very comfortable.

6379. Sir *Charles Wingfield.*] The heading of the petition would lead one to the impression that those who signed it did not understand it. They pray to be exempt from the Compulsory Pilotage Act. The Compulsory Pilotage Act is now in force, therefore this reads rather as a petition in favour of the Bill for abolishing compulsory pilotage?—I do not read it so; they do not want a change.

6380. The present Bill is not a compulsory pilotage Act; it is a Bill for the abolition of compulsory pilotage?—They think it is better to leave it as it is.

6381. Mr. *Gourley.*] Who explained the provisions of the Bill to them?—We got a copy of the Bill and laid it before the men at a meeting. The Bill was read over to them, and they saw that they would not have compensation for what they were about to give up.

6382. *Chairman.*] Then it was on the question of compensation?—That was one of the points.

6383. That was the main point, was it not?—No; I do not think it was.

6384. They were not satisfied with the compensation under the Bill?—No; they were not satisfied with the Bill at all.

6385. The main point was compensation, was it not?—No; I do not think it was. The main point was that when they signed the document originally they did not understand what the Bill was for.

6386. They must have signed the original document for some reason or other. You have told us now that they are not satisfied with the Bill, and you said that one of the grounds of their dissatisfaction was that they were not properly compensated under the Bill?—That was one of the points.

6387. Now was not another point this; that the Bill as now proposed did not sufficiently free them from the pilotage authorities of Hull?—Yes; they wanted the pilotage authorities done away with.

6388. Then they are not satisfied with the pilotage authorities?—They did not say that they were dissatisfied, but they thought that if they were to have compulsory pilotage done away with, they had better be left to take their chance, and of course the public might suffer.

Mr. *Bannister.*

13 May 1870.

6389. Was not one of the reasons of their originally being in favour of the Bill, that they thought they would be entirely free from the pilotage authorities of Hull, that they are dissatisfied with the pilotage authorities?—No doubt that was one of the reasons.

6390. Was not another reason that a good many of the pilots did not agree with the system under which all their earnings are put into hodge-podge, and divided amongst the men?—I never heard that discussed; all the pilots, whether young men or old men, share and share alike.

6391. Is it not your opinion that some of the pilots do not approve of that?—I believe they approve of the system.

6392. You believe they do approve of it?—I never heard a complaint, and I have been chairman 20 years.

6393. What were their grounds for dissatisfaction with the existing state of things, when the pilots signed the first petition?—They were told by Richardson that there were going to be certain alterations made, and that the Pilotage Commission was to be done away with, and that they were to be on their own hook, and when they had no restraint upon them they could do as they pleased.

6394. Forty out of the pilots of Hull thought they would be better off if pilotage was free?—No, that document in your possession is only signed by 40.

6395. The 40 pilots who signed the original document thought that they would be better off if the pilotage was entirely free?—No, they thought that some would get compensation from the Government, and, as the pilotage was to be made compulsory, they would have to give up their appointments, and they thought if they gave up their appointments they would get some compensation, and go into some other business.

Captain JOHN DREW, was called in; and Examined.

Captain *J. Drew.*

6396. Mr. *Cave.*] I BELIEVE you are Harbour Master of the Port of Bristol?—I am.

6397. And you have been so since 1841, I think?—Yes.

6398. Are you well acquainted with the navigation of the Bristol Channel?—I have known it since the year 1812.

6399. Are you also Younger Brother of the Trinity House?—Yes.

6400. What was your occupation before you were appointed harbour master?—I commanded a ship to the West Indies.

6401. For how long?—For nearly 20 years.

6402. Were those your own ships?—They were my own ships, part of the time.

6403. What is the pilotage authority of Bristol?—It is constituted under an Act of 47 Geo. 3; it is a private Act.

6404. What is the pilotage authority?—The pilotage authority consists of certain members of the town council, forming the docks committee, 19 in number.

6405. They act under the 47 Geo. 3, and also the Act of 1848, which is the Bristol Dock Act?—Yes.

6406. Those Acts regulate the pilotage of vessels to the eastward of Lundy?—Yes, from Lundy to Bristol.

6407. We need not go into the particulars of those Acts, because there has been an alteration in the system since 1861, has there not?—Yes; the Act of 1861, as far as Bristol was concerned, did away with the pilotage to Newport, Cardiff, and Gloucester.

6408. Did it in any way interfere with the pilotage to Bristol itself?—No.

6409. Did it interfere with the jurisdiction of the corporation?—No.

6410. How far does their jurisdiction extend?—For pilotage, it extends to Lundy.

6411. And for other purposes, I believe, it extends to the Flat Holmes?—That is the magisterial jurisdiction.

6412. Under the present system, all vessels of every kind bound to Bristol are compelled to take pilots from Lundy, are they not?—Yes.

6413. Is there any exemption?—None, except for vessels under 80 tons; and if the pilots force their services on board it is half pilotage.

6414. A vessel under 80 tons is not bound to take a pilot, unless he tenders himself, and if he does, they are obliged to pay half pilotage?—Yes.

6415. *Chairman.*] All vessels under 80 tons pay half pilotage?—Yes, if a pilot insists on going aboard her.

6416. Mr. *Cave.*] They are not obliged to wait for a pilot?—No.

6417. *Chairman.*] Does that apply to coasters?—No, coasters and Irish vessels are free from pilotage.

6418. Mr. *Cave.*] Are there also vessels that have certificated masters or mates as pilots?—Yes, all the masters of the coasting steam navigation are certificated men.

6419. The steamers running to Ireland, to the coast of Cornwall, and to the coast of Wales, do not take pilots, but they have licensed masters on board?—They have certificated masters on board, having passed an examination.

6420. Under whom do they pass that examination?—Myself, and the officers of the Mercantile Marine Board.

6421. Is there any limit placed upon licenses given to masters or mates who apply for examination?—No, for the south side of the channel.

6422. There is no difficulty placed in the way of any master or mate obtaining a certificate, if he offers himself for examination, and passes?—No.

6423. Are the pilots examined before the same authority?—Yes.

6424. Is their number limited?—We have sufficient for our work; at one time the number was 84, and now it is 60.

6425. Has that diminution been since the passing of the Act of 1861?—In a great measure.

6426. In consequence of pilotage which was formerly ranked as Bristol pilotage, being now ranked under Cardiff, Newport, and Gloucester?—Yes, the channel having been given to them independent of their local waters.

6427. I believe you have a plan of the port of Bristol showing the extent of the jurisdiction?—I have (*producing the same*); that is for magisterial purposes.

6428. And you have also a plan of the Avon, have you not?—Yes (*producing the same*).

6429. Where is the chief difficulty in the navi-

gation

gation of the Bristol Channel; is it from Lundy to Kingroad, or from Kingroad upwards?—From Flat Holmes to Kingroad isthe most difficult part of the channel.

6430. Should you say that it was more difficult than from Kingroad to Bristol up the Avon?—No, it is much more difficult than it is from the Holmes to Kingroad.

6431. The Avon, from Kingroad to Bristol, is much more difficult than from the Holmes to Kingroad?—Yes.

6432. Why is that?—From the limited distance which the vessels have to move in; the points are so sharp, and the river is so narrow.

6433. What is the rise and fall of the tide at the dock gates of Bristol?—Thirty-two feet spring tides, and 17 feet neap tides.

6434. Are there improvements in progress in the navigation of the river?—There are, to the extent of 200,000 *l.*

6435. Therefore, even under the present system, the difficulties of the navigation are very considerable?—Very great indeed.

6436. What sized vessels come to Bristol itself?—We have had vessels from 1,200 to 1,400 tons, drawing 22 feet of water.

6437. And I believe occasionally you have even larger vessels than that?—We have had one 1,600 tons.

6438. And I believe even larger than that?—We have had the "Demerara" and the "Great Britain."

6439. You produce a table of the pilotage rates and bye-laws, do not you?—Yes (*producing the same*).

6440. I think you said that the present number of pilots is 60?—Yes.

6441. How many boats do they own?—Forty-four boats.

6442. What is the tonnage of those boats?—From 16 to 40 tons; the cause of that is that the entrance of the channel is so wide. We go from Culver over to Hartland, a distance of 40 miles.

6443. The reason of there being such a large number of boats is that they are so long away?—Yes, they are obliged to spread over so large a field.

6444. How do those pilots that are above the number of 44, which is the number of the boats, manage to do their work?—They go with the others.

6445. Are those boats owned in shares?—No, they are owned by the pilots, but the men who have no boats pay 3 *s.* in the pound boat hire and find themselves.

6446. Are those pilot boats well found?—Yes.

6447. And can they keep the sea?—Yes, we have had three losses in 30 years, crews and boats foundered.

6448. I believe they go as far as Falmouth sometimes?—Yes.

6449. In all weathers?—In all weathers.

6450. And the pilots themselves are a respectable body of men?—Very much so.

6451. Is that their sole business?—Entirely.

6452. And besides the pilots employed, how many seamen and boys are employed on board those boats?—There are 80 men and 40 boys; a crew consists of two men and a boy.

6453. Supposing the exclusive privilege of piloting vessels to Bristol was done away with, do you think that the pilots would be found westward of Lundy as they are now?—I fear not.

6454. Do they pilot as many vessels out of Bristol as they pilot in?—Yes, all vessels that are piloted in are piloted out.

6455. Do they take them as far as they go to wait for vessels coming in?—No, Newport and Cardiff is where the mineral is to be had; they go for freight, and we pilot them from Bristol to Newport and Cardiff.

6456. They always pilot up?—Yes.

6457. And then the pilots go seeking for inward-bound vessels, bound for the port of Bristol?—They do.

6458. *Chairman.*] I suppose your vessels go to Cardiff and Newport for cargoes?—Yes, for coal and iron.

6459. Then they are out of the compulsory district?—Yes.

6460. Mr. *Cave.*] I believe the imports of Bristol are very considerably larger than the exports?—Yes, the import duty amounts to 1,200,000 *l.*

6461. And the cargoes of the large vessels coming there are very valuable cargoes, are they not?—The value of a sugar cargo is 20,000 *l.*

6462. At present the Bristol pilots have the monopoly of the Channel, with reference to all vessels bound to Bristol, have they not?—Yes.

6463. With regard to other vessels, they can be superseded as soon as they get within the Lundy?—No; if a vessel was bound to Cardiff, and they had a Bristol pilot on board, the Cardiff man could not supersede him till he left the Penarth Roads; that is, the inner waters of Cardiff, but a Cardiff pilot is licensed also to Lundy.

6464. Supposing a vessel was bound to Bristol, and took a Cardiff pilot on the other side of the Lundy, as soon as he got eastward of Lundy he could be superseded by a Bristol pilot, could he not?—He could.

6465. I think, by the Act of 1861, Bristol pilots have the option of being licensed for those other ports?—Yes.

6466. Have many of them taken advantage of that?—I think 16 or 17 have taken advantage of it for Cardiff; they applied for Newport, but so many obstacles and difficulties were placed in their way that they gave up the idea.

6467. You would say that it has not been the means of influencing pilots to get supplemental licenses from other ports?—No.

6468. The tendency of the system is, that the pilots of each port are licensed to the port itself, and confined to that port?—Yes.

6469. Looking at it from a pilot point of view, and the keeping up of a sufficient staff of pilots, I believe you would see great objection to doing away with the compulsory system from Lundy inwards?—That is my private opinion.

6470. I think, besides being the manager of the pilots, you are also harbour master of the Avon?—Yes; under the Dock Act of 1848.

6471. But there is another harbour master for Bristol itself, I believe?—Yes; there is a harbour master of the inner water inside the dock gates.

6472. Then you may say, practically, that the Avon, from the dock gates, as far as Kingroad, may be considered another harbour?—Under different guidance and management.

6473. But it is under a harbour master?—It is under myself, as harbour master.

6474. The difficulties of the navigation there are such that you require not only the supervision of the pilots but the marshalling of the ves-

Captain *J. Drew.*

13 May 1870.

sels, which, of course, is the essential duty of the harbour master?—There is a certain amount of judgment to be exercised, as to when a vessel shall pass up.

6475. Looking at it simply from a harbour-master point of view, supposing there was a voluntary system up to Kingroad, would you see any stronger objection to a voluntary system from Kingroad to the dock gates of Bristol?—Yes, decidedly.

6476. On what ground?—Because the navigation is so intricate and difficult.

6477. I believe you have to inquire, in all cases, as to what draught of water the vessel has?—Yes; a report is made to me upon the arrival of a vessel.

6478. And she lies at Kingroad until she is allowed to proceed?—Yes.

6479. I believe, in many parts of the river where there are curves, the channel narrows and widens very rapidly, does not it?—It does.

6480. And if a vessel is meeting another, in some cases, though there may appear to be a fair way, she has to stop for some distance before the other vessel meets her, in order to give an opportunity of passing in a wide place?—Yes; we so manage the ships that they shall not pass at these points if there is a possibility of avoiding it.

6481. I need hardly ask if such a system as that does not require a very accurate knowledge of the river?—No question about it.

6482. And a strict system of discipline?—Yes; it requires practical men thoroughly acquainted with it.

6483. I suppose the passage from Lundy to Kingroad can be made, in fine weather in the summer, without very much danger?—Yes; it is 60 miles; there are difficulties in the way; the sets of the tide are very uncertain, and, without local information, vessels are likely to get aground.

6484. I believe the estuary is well buoyed and lighted?—Yes, thoroughly.

6485. In bad weather of course it would be much more difficult?—Yes.

6486. Do you think, in ordinary cases, that the master of a valuable vessel would run up from Lundy to Kingroad without a pilot, unless he had a person on board who held a license?—I think not; I do not think that he would run that risk; I think that he would take a pilot gladly.

6487. Do you think that that risk would be run by another class of vessels?—There are some small vessels that would run the risk until they got into the narrow waters.

6488. There is a good deal of competition, is there not, in the trade by shipowners; there are a certain class of shipowners to whom a very small excess in their expenditure would almost make the difference between a voyage paying or not?—The Channel pilotage is very moderate; as much so as in any place anywhere; the highest is 10 guineas, from Lundy to Kingroad, and the lowest 4 guineas; that is for the whole 80 miles.

6489. Do you think that there is any class of vessels the masters of which would run the risk to save the four guineas?—Yes; I have known instances where they have done so.

6490. Not only to the danger of their property, but to the lives of the sailors?—Yes; the Scare-weather and the Nash Sands are very dangerous.

6491. There have been many wrecks on the Nash Sands, and even steamers have been wrecked there, have they not?—Yes; there was one very recently.

6492. In the river itself steam tugs are required in almost all cases, are they not?—Yes; they cannot pass up without them.

6493. Under what control are the steam tugs?—Under the control of the pilots.

6494. Are the masters of the steam tugs competent to take vessels up without a pilot?—I suppose they imagine they are, but they are not permitted to do so.

6495. Supposing a tug was drawing a vessel up the river without a pilot, would it increase the danger of the vessel?—I imagine so; I always find that these men throw liability overboard directly anything happens.

6496. Supposing that voluntary pilotage was established in the river itself, could you manage the marshalling of the vessels as you do, without the power you have at present?—No; I should have no power over them.

6497. In case an accident happened to a vessel in the river, I presume the whole trade of the port would be stopped for some time?—Yes; for a week or 10 days.

6498. Do you recollect how long the "Demerara" laid across the river?—About three days; and she stopped the whole navigation of the river the whole time.

6499. That is a most serious impediment to the trade, is it not?—It is a most serious loss.

6500. I believe some vessels cannot go up or down except at spring tides?—Vessels of 60 feet of water require spring tides; five feet more than the ship draws is the amount of water which they require.

6501. I believe it is the duty of the corporation of the port to keep the channels of communication uninterrupted, is it not?—It is.

6502. And do they state that they could not do so unless they have the most entire control over the vessels coming up and down?—That has been the feeling.

6503. Do they gain anything by the pilotage?—No; I believe there is an expense attending it.

6504. Has there been any movement in favour of the abolition of compulsory pilotage in the port of Bristol?—No, I have not heard of any; I believe the Chamber of Commerce would do it.

6505. In what way?—I believe there was a difference of opinion there; they were desirous that the channel should be free.

6506. When you say "the channel," do you mean the channel from Kingroad?—From Lundy.

6507. Did they express any opinion as to the river itself?—They are in favour of the present system continuing for the river.

6508. Would you imagine that you could keep up the present staff of 60 pilots, if voluntary pilotage was established in the channel?—I think not.

6509. You think, in that case, you would have to establish a supplemental set of pilots for Kingroad and for the river itself?—No; I think the lower part of the channel would be neglected, and the pilots would be looking out for ships where they could find them, and be paid a pilotage.

6510. Whenever vessels were boarded, of course there would be pilotage to pay?—Yes.

6511. But you think the pilots would consider it too uncertain to go out far?—Yes.

6512. And that they would remain at Kingroad?

road?—At all events they would not go far below it.

6513. Would they, under those circumstances, earn anything like what they earn now?—No.

6514. Would it not be difficult to keep up a sufficient staff for the Avon itself?—I do not think there would be any difficulty, but the number would not be a fourth of what we have at the present time for the river.

6515. Would it be sufficient for the river?—Yes; 20 would be quite enough.

6516. Without delaying vessels at Kingroad?—Yes; I think 20 would be enough.

6517. Speaking as a harbour-master, you do not very much care if the number of pilots is reduced?—No; when we had the entire channel, it was necessary to have a very large staff, and I doubt whether we could not spare some of the pilots now.

6518. With regard to the men themselves, it would be a matter of compensation?—Quite so.

6519. Has there been a decrease in the trade of Bristol?—No; there has been a large increase.

6520. Has there been a diminution in the pilotage taken by the Bristol pilots?—No; there was an increase of nearly 1,200 *l.* in the year 1869.

6521. Since when?—From the year before.

6522. There has been an increase of from 1,000 *l.* to 1,200 *l.* in money actually taken by the pilots during that year?—Yes; in consequence of the increase of trade to the port.

6523. It is said that in consequence of compulsory pilotage at Bristol, the Bristol pilots earn less than they did, and that in consequence of voluntary pilotage in Cardiff and Newport, the Cardiff and Newport pilots earn more than they did; would you accept that statement?—No, I would not. My answer would be that the trade of the port has been the cause of the great increase of pilotage to Cardiff and Newport. The trade of the channel has increased within the last seven years 75 per cent.

6524. Have the earnings of the pilotage, under the voluntary system, kept pace with that increase of trade?—No, it has not; one would be about equal to 14 per cent., and the other would be equal to about 75 per cent.

6525. Your impression is, that under the voluntary system less is earned than under the compulsory system?—Yes; from the figures that I have had in the Returns of the Board of Trade. I will put in this statement with regard to the increase of tonnage.

6526. Have you heard any complaints against the present system in Bristol?—No.

6527. Neither by the pilots nor by the shipowners?—No; I have heard no complaints for some considerable time.

6528. Have you turned your attention at all to the question of responsibility of the owners of vessels, in case compulsory pilotage was abolished?—No, I have not.

6529. Have you heard it discussed at all?—No, I have not.

6530. Then you cannot express any opinion upon that point?—No.

6531. Is there any other statement that you would like to add to what you have stated to the Committee?—No; I think I have said all that is necessary.

6532. Sir *Charles Wingfield.*] I observe that the petition from the mayor, aldermen, and burgesses of the city of Bristol, expresses an opinion that between Lundy Island and the Holmes, pilotage might be voluntary?—Yes, that is the opinion of the city.

6533. It is not your opinion?—No; I give my opinion as a practical man, of course; I have given way to the city's opinion.

6534. What is their reason for giving that opinion?—They imagine that is unnecessary.

6535. Why; is it because the navigation is so easy?—I suppose it must be so, in a degree.

6536. I suppose that can be the only reason?—I suppose that is so.

6537. You say that the tugs towing vessels to the Avon are obliged to employ pilots?—No, they are under the direction of the pilot on board the ship which is being towed.

6538. There is not a pilot on board the tug as well?—No.

6539. I believe at Cardiff and Newport the pilotage is voluntary?—Yes.

6540. Ships may take pilots or not, as they please?—Yes.

6541. That system has been found to answer there very well, has it not?—I believe so; a man at Cardiff can earn as much in a day as one of the unfortunate Bristol Channel pilots can earn in a week; a man at Cardiff can take two vessels in and two vessels out of Cardiff docks, and anchor in the Penarth Roads.

6542. Do the great majority of vessels (notwithstanding it is optional to take pilots) employ pilots in going into Cardiff and Newport?—I think they all take pilots into the port, or generally so.

6543. Though they are not obliged to do so?—Yes.

6544. Why do not they take them going out?—I mean in and out; it is a very limited distance.

6545. It being entirely optional with the masters of vessels, whether they take pilots or not, and the fact being that they do take pilots; does not it follow that they will still take pilots in a difficult river like the Avon?—No, I think not; I have seen men who would undertake the navigation of the river.

6546. Still, when you have the fact before you, that in an easy river all masters of vessels do take pilots, though not obliged to do so, it seems to follow as a logical deduction, that in a difficult river they would equally take the precaution of employing pilots?—I would not give them the chance of the option; I would not run the risk of having the river blocked and the trade stopped.

6547. You cannot dismiss the apprehension from your mind, that some masters or owners of ships would be foolhardy enough to attempt the passage without a pilot?—Yes, and they might obstruct the navigation for a week or 10 days.

6548. *Chairman.*] Do you recollect the change in 1861?—Yes, quite well.

6549. I think the Bristol Channel Pilotage Bill was opposed by the Bristol Corporation?—Yes.

6550. Did you come and give evidence on that occasion?—I did.

6551. You opposed that Bill?—Yes.

6552. Will you tell the Committee on what grounds you opposed that Bill?—Because, as a practical man, I would take a pilot wherever I could get one.

6553. You thought it would be dangerous to the port of Gloucester and Cardiff, that their

Captain *J. Drew.*

13 May 1870.

vessels should no longer be compelled to take pilots?—The Cardiff, Newport, and Gloucester Bill went for the most stringent compulsory pilotage that they could possibly have; it was made free in Committee.

6554. But you were opposed to it?—I was opposed to the Bill as an officer of the corporate body of Bristol.

6555. The Gloucester Bill proposed to make pilotage voluntary, did it not?—No, the original Bill was not so; it was the Parliamentary Committee that made it free.

6556. Are you certain that both Cardiff and Bristol people brought in a Bill leaving it compulsory for those ports?—They went for the most stringent compulsory pilotage that was possible to have in a Bill, and it was made free pilotage by the members of the Committee.

6557. At whose instance was it made free?—By the gentlemen on the Committee.

6558. Was there no evidence given in favour of free pilotage?—I cannot say.

6559. Do you mean that the Gloucester and Cardiff people came for a Bill to enact a stringent compulsory pilotage for their waters; but to separate it from that of Bristol, and that the Committee, without hearing evidence in favour of free pilotage, made it free?—They heard evidence no doubt; but the result was that instead of getting the Bill as they originally had it before the Committee, the Bill was made free and non-compulsory.

6560. I suppose the Committee came to the opinion after hearing the evidence that it was advisable to make pilotage free for those places?—Yes.

6561. Were you examined upon that point, and did you give evidence?—I gave evidence with regard to the channel.

6562. Did you give evidence to the effect that it was desirable to retain compulsory pilotage for both Gloucester and Cardiff?—Yes, I think it advisable now, and I thought so then.

6563. You gave evidence there?—Yes.

6564. And I believe you were opposed to making it free?—Yes.

6565. It was made free, was it not?—Yes.

6566. Has any evil resulted, in your opinion, from it?—No.

6567. Have you heard any complaints of it?—No.

6568. Have you heard of any disaster having happened to vessels in consequence of the pilotage being free?—No.

6569. Have you studied at all the result of the change as regards Gloucester and Cardiff?—No.

6570. Have you formed any opinion upon the subject?—No.

6571. Have you heard of any complaints?—No.

6572. And you have no reason to believe that any evil has resulted from the change?—No, I have not heard anything of the kind.

6573. Do you still think that pilotage should be compulsory as regards Bristol?—That is my opinion as a practical sailor.

6574. Have you made any personal investigation into the the change as far as Gloucester is concerned?—No.

6575. But you come here to express a strong opinion that compulsory pilotage should be retained as far as Bristol is concerned?—I think it sufficient to confine myself to my own port.

6576. You did not think it material to inquire into the results of the change at Gloucester?—No.

6577. Although every vessel going up to Gloucester passes through the Bristol pilotage waters?—Yes, it must do so.

6578. As far as Kingroad and Lundy the districts are practically the same; every vessel must pass through the Bristol pilotage waters to get up to Gloucester, is not that the case?—Yes.

6579. And, notwithstanding that, you did not think it desirable or necessary to inquire into the result of the change as far as Gloucester is concerned?—No.

6580. And you still hold the opinion that pilotage should be compulsory, as far as Bristol is concerned?—That is my opinion, as an individual.

6581. Why do you say, "as an individual"?—Because, I look at it in a practical sense, and in a practical way; I fancy if I was coming into Bristol from the Western Ocean, I should be glad to get a pilot as soon as I could.

6582. Why do you say, "as an individual"?—Because the City of Bristol takes a different view of the subject.

6583. They think the channel pilotage should be free?—Yes, for the channel at all events.

6584. Your opinion is divided as to the river, is it not?—Yes, we are anxious to maintain the present system for the river.

6585. The great bulk of the people think it should be free as far as the entrance of the river is concerned, but their opinion is divided as to the river?—There is no division of opinion as to the river.

6586. There is a unanimity as to the pilots up to Kingroad, is there not?—I suppose so.

6587. It is only your own individual opinion which is against free pilotage up to that point?—Yes.

6588. As far as pilotage, up to that point, is concerned, the general opinion of Bristol is in favour of the Bill?—I suppose so, from their petition.

6589. You told the Committee, that in your opinion, the pilots would not cruise out as far as Lundy Island, if the Bill passes; is it not the fact that a considerable number of the Bristol pilots do cruise further than Lundy Island?—A considerable number go to Falmouth.

6590. They meet the vessels there, and bring them round?—Yes.

6591. Is there any reason to suppose that they will not do that if the Bill should pass?—No; when they get to Lundy Island they will know that they are secure of their pilotage.

6592. If a vessel takes a pilot from Falmouth to Lundy Island, is it not clear to you that they would also take a pilot from Lundy Island up to Bristol?—Any ship may call there for orders.

6593. Do not a considerable number of vessels coming into Bristol take a pilot at Falmouth?—The greater number at all events.

6594. I want to know whether that is not likely to continue if this Bill is passed?—I do not know; I fancy not.

6595. Why?—When they reach Lundy, they get into their own waters, and they would pass from Lundy to Kingroad.

6596. I mean, from Falmouth, would they continue to take their pilots at Falmouth, as they do now?—Perhaps they would.

6597. Does

6597. Does not the danger of the navigation commence after Lundy Island for the Bristol Channel?—Yes; from Lundy upwards.

6598. Therefore is it not probable that vessels, as they want pilots, will find them there?—It may be so.

6599. You told the Committee that you are gradually reducing the number of pilots, in consequence of the change which took place in 1861?—We have not increased the number; they decrease themselves by death and other causes.

6600. Have you made any further appointments?—No.

6601. But you are gradually reducing the number?—Yes.

6602. With a view of restoring their incomes to what they were before the change?—It was not with that view; there was no idea of increasing the income.

6603. Is it not the fact that their incomes are falling off?—Yes.

6604. Is it not the fact that previous to 1860 the average income of the pilots was 150 *l.* a year, and now it is reduced to 80 *l.*?—Yes.

6605. In consequence of the work that has been taken off them and given to the voluntary pilots of Gloucester and Cardiff?—Yes.

6606. So that you have at present a superabundance of pilots?—Yes.

6607. And you are gradually reducing their number?—Yes.

6608. And you will not make any appointments until you think that the proportion of pilots is insufficient for the trade?—No.

6609. And you will estimate that by their incomes?—Yes; and by the trade.

6610. But mainly by their income?—It will depend upon whether the trade requires a greater number at present; we do not require more.

6611. Take the navigation of vessels going up to Gloucester, is not the navigation of Kingroad upwards more difficult than it is from Lundy Island to Kingroad?—All vessels are towed with tugs ahead, and that does away with the difficulty.

6612. Looking at the navigation, is it not more difficult after passing Kingroad, going up to Gloucester, than it is from Lundy Island to Kingroad?—Yes; it is more intricate.

6613. Are you aware that for the most part vessels going up to Gloucester do take pilots?—I believe so.

6614. Have you any doubt in your mind that vessels will continue to take pilots as far as King road from Lundy Island?—I think, in fine weather, vessels coming from the westward may say to the pilot, when his services are offered at Lundy, "I shall not require your services till I get up higher;" there is a certain less sum charged for the pilotage there; they come up as far as Minehead, which is 40 miles from Lundy, and they then save 4 *l.* 4 *s.*

6615. You think they will take pilots eventually, though not so soon as Lundy Island?—Yes.

6616. Will they take pilots when they get up to the Holmes, notwithstanding the passing of this Bill?—As I said before, there are men who would do so.

6617. But you think the great bulk would take pilots there?—I think the great majority of the men would do so.

6618. But you are afraid that they would not take pilots so early as Lundy Island?—Yes.

6619. Is it not the practice of vessels going to Gloucester, not to take pilots so soon as at Lundy Island?—We pilot a great many.

6620. What do you mean by that?—We pilot vessels from Lundy Island to Gloucester.

6621. What number of vessels of that kind do you pilot?—I am not prepared to say at this moment.

6622. The great bulk of Gloucester vessels do take pilots at Lundy Island, do they not?—Yes.

6623. But they often take them at Kingroad, do they not?—Yes, they come higher up.

6624. I presume that will be the course pursued by the Bristol vessels; if this Bill were to pass a certain number would take pilots at Lundy Island, and a certain number would not take until they get higher up?—Yes, and there would be no inducement for the men to come far to the westward, cruising, because the first two stages would cut off the larger amount of the pilotage.

6625. Then there will be a greater employment of Gloucester vessels that would want pilots at Lundy Island, and there would be a proportion of Bristol vessels that would want pilots at Lundy Island?—Not a fifth of the Gloucester vessels would be piloted from Lundy Island.

6626. I presume a greater proportion of Bristol vessels would want pilots at Lundy Island?—I think a great number would.

6627. The Bristol vessels are larger in proportion?—Yes.

6628. The larger number would want pilots at Lundy Island?—Yes.

6629. And just as now, a certain number of Bristol vessels would want pilots at Falmouth, so in the future a certain number only will want pilots at Lundy Island, and a certain number only higher up than Lundy Island?—It must be all imaginary.

6630. Will not the result be this: that pilots will be found just in proportion as they are wanted?—Perhaps so; the supply may be equal to the demand.

6631. I understood you to make a distinction between the river and the outside pilotage?—Yes.

6632. You think the river more dangerous?—Yes.

6633. It is an extension rather of the harbour?—Yes.

6634. I think at Gloucester there is a different set of pilots for the river and the sea channel?—Yes.

6635. Is not the navigation of the Avon from Kingroad up to Bristol very much in the nature of a canal?—No; look at the rise of the tide; a canal is stationary water.

6636. It is a very narrow channel from Kingroad to the entrance of the basin, is it not?—Yes, it is very limited.

6637. And it is very much like a canal, with the exception of the rise and fall of the tide?—That is everything; if you have 20 feet of water at the commencement of the canal, you will have 20 feet of water at the end, but you do not know what you will have at the rise and fall of the tide.

6638. You think that the great bulk of vessels will take pilots before they come into the river?—Yes.

6639. But if this Bill passes, do you think the great bulk of vessels will take pilots?—It may be so.

6640. If the dangers of the river itself are greater than they are outside the river, will not more vessels take pilots when they come into the river?

Captain *J. Drew.*

13 May 1870.

river?—I would not run the risk of letting a man who was not competent navigate the river without having a pilot on board.

6641. You said that you would not allow any but competent men to navigate the river?—Not to navigate the river as a pilot.

6642. Do the certificates which are given to these coasting vessels cover the river as well as the outside channel?—Yes.

6643. Are certificates taken out by the masters of the vessels that go in the coasting trade to Ireland and other places?—Yes.

6644. And they now navigate the river without a licensed pilot?—Yes; they pass up and down each week.

6645. Mr. *Graves.*] I understood your main reason for wishing compulsory pilotage in the Avon to continue is, in order that the river might be kept clear and free for navigation?—Yes.

6646. Not so much for the protection of an individual vessel, as for the protection of the whole?—Yes; and the trade.

6647. You look on it, in fact, more as a harbour regulation?—Yes.

6648. And you think that it is necessary, in order to preserve clear traffic in so crowded and peculiar a river as the Avon, that every vessel going up and down should have a competent and qualified person to conduct it?—Yes, that is my view.

6649. Have you any practical knowledge of the port of Cardiff at all?—No, not much.

6650. Have you sufficient to be able to contrast the passage in and out of Cardiff with the seven miles of the Avon, from Kingroad to Bristol?—The one is a cutting of a few hundred yards.

6651. So that there you have the same accessory for preserving the harbour regulation as you have in the Avon?—They can take pilots if they like at the Penarth Docks.

6652. I look at it solely as a harbour regulation. I ask you whether, from your own knowledge, you could compare the Cardiff Cut with the Avon, from Kingroad to Bristol, and whether you consider there is the same necessity at Cardiff for having on board every ship a pilot, as there is in the Avon?—No, there is no comparison between the two places.

6653. Now with regard to Gloucester, I suppose you have been frequently up and down the Severn?—No, I have only been as far as Chepstow.

6654. Have you been as far as the entrance to the canal?—No, never.

6655. Can you speak from your own general knowledge?—I forbear giving any opinion upon general knowledge.

6656. Are you not able to answer this question from general knowledge; whether there is any necessity for a harbour regulation in the Severn, such as exists in the Avon, for a pilot being on every ship. I do not now talk of tides, weather, or any physical condition, but simply as a harbour regulation?—You can hardly call the Severn the same kind of river as the Avon, as the other has a bolder and greater span; though the tides are so rapid there, and the difficulties are great, there is no question about that.

6657. I do not want you to look at it from a difficult point of view, but I want to know, would a vessel grounding in the Severn, be the same obstruction to the trade and commerce of the Severn, that it would be to the trade and commerce of the Avon?—Assuredly not.

6658. *Chairman.*] You have never been there, I believe?—I have never been there, but I know that there is a greater span of water there, and vessels can pass.

6659. Mr. *Graves.*] Then you would argue that there is something exceptional in your own river, which demands a greater vigilance in bringing the vessels up and down in the interest of the port itself?—Unquestionably.

6660. You said in answer to the Chairman, that it might not be desirable to make any more appointments of pilots; have you apprentices in your pilotage system in the Avon?—We had 40, but we have none now; the men who go in the skiffs are qualified after seven years' servitude to be pilots, if they can pass their examination.

6661. Is there any statutory obligation?—The bye-laws state, there shall be apprentices, but they cannot get the boys.

6662. I presume you have some boys in the skiffs?—One boy in each skiff, but they are not apprentices.

6663. Is there any statutory obligation in your bye-laws, to compel you to give a man a license, when he has served a certain number of years in the service?—Yes.

6664. How can you, if that is the case, refuse to license those men when their turn comes?—It depends entirely upon the want.

6665. Then you have it in your power?—Yes.

6666. Mr. *Wykeham Martin.*] About what do your pilots earn a-piece?—From 85 *l.* to 90 *l.* a year, that is the net average.

6667. For that do they go out to sea in all weathers?—Yes.

6668. Do they go cruising after ships or merely take ships to sea?—They go looking for them, independently of taking them down the Channel.

6669. Are not some of these boats very small to keep the sea; only 16 tons?—I think they are above that; they are river boats; the larger ones go down the Channel.

6670. Do you have many collisions in the river?—Yes, frequently.

6671. Have you ever had your attention turned to the immunity of owners when a pilot is on board?—No.

6672. Have you heard of any difficulty arising between the owner of a large craft and the owner of a small craft owing to those collisions?—I think the owners of large craft are desirous of keeping things as they are, and the smaller ones are against it.

6673. Is the motive for that that the larger ones like the immunity from responsibility which the pilot gives, and the smaller vessels suffer from it?—The freights are less, and they can afford it better.

6674. Do you think this desire to keep things as they are, upon the part of the owners of larger vessels, arises from the wish to do away with the liability of owners?—I cannot say.

6675. Do you think that the owners of smaller vessels want to get rid of it upon that ground?—No; I think it is a question of £. *s. d.* with them.

6676. How does the question of £. *s. d.* affect them; the smaller vessels are not obliged to take pilots?—Yes, they are.

6677. Is there no exemption in the river?—Only 80 ton vessels; and in them the pilots gets half pilotage.

6678. Are the people owning the 80 ton vessels

sels the people who wish for the abolition of the present system?—I have hardly heard anything about that.

6679. And they have no motive, if they are exempt from pilotage, to wish for the abolition, except the one I have suggested?—I think not.

6680. Mr. *Graves.*] With regard to exemptions, I believe there are exemptions in Bristol from compulsory obligations?—No; all vessels are obliged, under the 9th section of the 47th of Geo. 3, to take pilots.

6681. All vessels?—Yes.

6682. *Chairman.*] I understood you to say that vessels under 80 tons were exempt?—They are so far exempt that if a pilot forces his services on board they pay half pilotage.

6683. Are coasters exempt?—Yes, they are free, and the Irish traders as well.

6684. Sir *Henry Selwin-Ibbetson.*] What proportion of vessels is comprised in the coasters and the Irish trade?—We have a very large trade to Ireland.

6685. Mr. *Graves.*] What class of people bring these coasting vessels up and down the Avon?—Men that are accustomed to pass up and down the river constantly.

6686. They are a kind of unlicensed watermen or bargemen?—No; captains are permitted to pilot their own vessels.

6687. In practice do they take any local guide with them?—Yes.

6688. A kind of hobbler?—Yes, they would take them, if they took any.

6689. Do you know whether the masters complain at all of these vessels without licensed pilots on board offering more obstruction to the navigation of the Avon than the vessels that have pilots on board?—No, if these men are on board, it is in the power of the licensed pilots to supersede them.

6690. That is not the question. Do these vessels cause a greater obstruction with no pilots on board than vessels with pilots on board?—No, but they are all small craft.

6691. Mr. *Price.*] I had not the advantage of hearing your evidence in chief, but I know pretty well the points involved in this controversy between Bristol and other ports, and I can assume a good deal, though I have not had an opportunity of hearing it. We know that there is a petition from the Corporation of Bristol against this Bill?—Only as far as the river is concerned; it is only from the Holmes.

6692. I am afraid it is not so?—From the Holmes it is so; there is a difference of opinion upon this.

6693. We met in the examination of this question in Bristol some years ago, and at that time the Corporation of Bristol, and all the authorities connected with the navigation, were opposed to any alteration in the then existing system?—Yes.

6694. Since that time it is the fact, is it not, that the pilotage has been rendered completely free in the Bristol Channel, as regards the ports of Newport, Cardiff, and Gloucester?—Yes.

6695. And that has been at the instance of the Newport, Cardiff, and Gloucester people, has it not?—I think not at their instance exactly. I think you went for strong compulsory pilotage in the first instance, and it was the Committee who gave you the voluntary system.

6696. Do you know that the pilotage of those three ports was made free by a Bill introduced by the joint authorities?—They altered the Bill here in the Committee; your present Bill may be so, no doubt, but that is not the Bill you went for.

6697. Do you recollect the investigation into this subject by Admiral Beachy in Bristol?—Yes.

6698. Do you remember that at that investigation Gloucester was represented on more than one occasion?—Yes.

6699. And do you remember the great contention there was that the pilotage should be free from Lundy Island over the whole course of the channel?—I do not remember that; I remember that you wanted an alteration, but the question was what the alteration should be.

6700. Of course if your recollection does not serve you upon the point, I do not know how I can push that question any further, because that matter is susceptible of proof out of the mouths of other witnesses; August 1861, is the date of the Act to which I refer, and you say, it is not within your recollection that that Act was promoted by Newport, Cardiff, and Gloucester in the form in which it was ultimately passed by the authorities?—That was not the original shape of it.

6701. That is your opinion?—Yes; I think so.

6702. At the time that this Act was passed, and during the whole of the contention between the Channel ports and Bristol, the corporation of Bristol, and all the pilotage and navigation authorities there, were opposed to any alteration in the existing system?—Yes.

6703. Since that time, the pilotage has been made non-compulsory as respects the three ports to which I have already alluded?—Yes.

6704. Is it not the fact, that since that time the Corporation of Bristol and the other authorities have come to the conclusion that it may safely be made free as between Lundy Island and the Holmes?—I do not know anything beyond the city having done so.

6705. By the "City," do you mean the corporation?—Yes.

6706. Have not the merchant venturers also come to that conclusion?—No.

6707. I think the persons who appear here who are the city, represented by the corporation, and who have memorialised this Committee, are of opinion that pilotage may be made free as between Lundy Island and the Holmes?—Yes.

6708. And you also are of opinion that it might be made free as between the Holmes and the mouth of the river at Kingroad?—No; I gave an honest individual opinion upon the question asked me, and then I gave an opinion with regard to the city; I have given way in my opinion and have followed the opinion of the authorities.

6709. What is your opinion now?—The authorities say that it may be made free, and I suppose I say so too.

6710. How far?—There is a difference of opinion between them; some are advocating free pilotage from the Lundy to the Holmes, and others from the Holmes to Kingroad.

6711. If they are of opinion that it should be free from the Holmes to Kingroad, they must be of opinion that it should be free from Lundy to Kingroad, because there is no question between Lundy and the Holmes that they all agree about?—Yes.

6712. Then the only question is whether it should also be free from the Holmes to Kingroad?—Yes.

6713. As respects that, if I understood you rightly,

Captain *J. Drew.*
13 May 1870.

rightly, your own opinion is that it should be free because the opinion of the authorities, was that it might be free from the Holmes to Kingroad?—As a practical man, I would not have it free.

6714. Then would you rather retain the voluntary system even as far as Lundy?—I used to take a pilot at Lundy.

6715. You did so in former days, and should do so still?—I should do so to-morrow.

6716. But the opinion of young Bristol (if I may use that expression) is rather in favour of greater latitude and greater freedom in that respect?—Yes.

6717. I am quite sure that you are giving your fair opinion upon the matter, and I gather from what you say, that the general feeling of the port of Bristol now, apart from the authorities, would be in favour of free pilotage up to Kingroad at all events?—Yes, I fancy so.

6718. Do you know at all what the results have been as respects Newport, Cardiff, and Gloucester, since pilotage has been free there; have there been more accidents?—No, not that I am aware of.

6719. Have you ever heard any complaints of there not having been a sufficient number of pilots to be found?—No.

6720. Have you ever heard of pilots being on a station incompetent to discharge the duties of their calling?—No.

6721. Have you ever heard any complaint of any kind or any expression of opinion of any kind, which would go to show that undue risk had been run in the experiment there, or that the experiment has not been satisfactory?—The only complaint that I heard was that the Gloucester pilots were not always to be found at Lundy, but the Bristol pilots were.

6722. Have you heard that a Gloucester pilot was not to be found where a Gloucester pilot was wanted?—No; you see when they reach Kingroad they can soon find one.

6723. Does not that tend to show, that under the non-compulsory system, the pilot goes just as far as he is wanted, and no further?—I am not prepared to reply to that question.

6724. You do not say that it is not so?—No.

6725. You draw this distinction; you say that the Gloucester pilots (and of course the same thing applies, I suppose, to the Newport and Cardiff pilots) are not to be found below the Holmes, although the Bristol pilots are to be found down at Lundy?—Yes.

6726. Is it not the fact that Bristol ships are still bound to take pilots at Lundy?—Yes.

6727. The Bristol pilot goes to Lundy, because he knows he will find a ship, and finding a ship, he is obliged to board her?—Yes.

6728. And the Gloucester pilot does not go there, because he is not wanted?—That is so.

6729. Supposing Bristol ships were not compelled to take pilots at Lundy, would the Bristol pilots go down to Lundy?—No, not to the extent they do now.

6730. Is it not fair to assume that, since Gloucester, Newport, and Cardiff ships can come up without pilots, Bristol ships can do the same?—They do come up without pilots.

6731. Is that the fact to any extent?—I should think so.

6732. Do you know that that is the fact?—If you look at the pilotage returns, you will see that the Bristol pilots brought 200 vessels from Lundy to Kingroad last year on their way to Gloucester

6733. Do you believe that they were Gloucester ships?—Yes.

6734. Is that an Admiralty return?—It is a pilotage return of the Board of Trade.

6735. They were Gloucester ships?—Yes.

6736. Is it the fact that a Bristol pilot may board a Gloucester vessel, but that he may be superseded by a Gloucester pilot, if one comes alongside?—He cannot be superseded on the way up to Kingroad.

6737. Do the Bristol pilots still participate in the Gloucester trade?—In a measure; I wish they did a little more.

6738. Why?—Because it would be better for the Bristol pilots.

6739. Would it be better for the trade?—The pilots would be better off, at all events.

6740. You look at this matter altogether from a pilot's point of view?—I do not; I take a much more general view of it.

6741. You said it would be better for the pilots, but you do not know that it would be better for the trade?—These vessels which I speak of were piloted, and the trade was satisfied to pay the pilots.

6742. I do not understand why you said you wished it was so to a greater extent; you said you wished that the Bristol pilots had a larger proportion of the Gloucester trade; I ask you in what interest, is it the pilots or the trade, and you say in the interest of the pilots?—The pilots would be benefited by it; they are very badly paid.

6743. Do you think it would be better for the trade, because it is a question between the non-compulsory pilotage and the compulsory pilotage; in what respect do you think it better for the trade if the ships were navigated by compulsory pilotage?—The trade would have to pay the pilotage, and that would tell against the trade.

6744. Were you looking at the pilotage view or the trade view?—My first view was that of the pilots.

6745. It comes generally to this, that all these things end in the interest of the pilots?—Yes.

6746. Now, will you tell us any way in which you think that Newport, Cardiff, and Gloucester could be better off if they were to abandon their non-compulsory system, and revert to the compulsory system?—I am not prepared to give an opinion upon that point.

6747. So far as they are concerned, you do not contest the benefits or the advantages which they themselves may derive from the non-compulsory system?—No; I do not enter into that question.

6748. As far as Bristol is concerned, the authorities being of opinion that compulsory pilotage might safely be abandoned as far as the Holmes are concerned, are you of that opinion also?—No, I am not of that opinion individually, but I give way to the authorities in opinion.

6749. At all events, the authorities are of opinion that it may be safely abandoned as far as the Holmes, and that young Bristol and its trade, energetic Bristol, is also of opinion that it might be abandoned as far as Kingroad?—Yes, that is the feeling.

6750. And I suppose they are pretty competent judges of what is of advantage to their trade?—They keep on with the times.

6751. You draw a distinction between the pilotage up to Kingroad and the pilotage from Kingroad up to Bristol?—Yes.

6752. Do you think that it is desirable that you

you should still retain pilots up to Bristol?—Yes.

6753. I suppose you do not contend that the pilotage of the Avon is at all analogous to ocean pilotage in any way?—Certainly not.

6754. The Avon is now more or less an artificial navigation, is it not?—To a certain extent.

6755. I believe a large sum of money has been expended of late upon it?—We are laying money out now.

6756. I believe it is something in the same way as the expenditure upon the Clyde?—Yes.

6757. There is not quite so much embankment, but rather more blasting of rocks and cutting off of points?—Yes.

6758. One of the great difficulties of navigating the Avon now is a difficulty incidental to the length of modern ships?—Yes.

6759. And the circuitous course of the Avon?—Yes; and the rise and the fall of the tide.

6760. What is paid for pilotage from Kingroad up to Bristol per ton; supposing a ship of 600 tons took a pilot from Kingroad to Bristol, how much per ton would she pay?—£. 1 15 *s.* for a 600 ton ship from Kingroad to Bristol.

6761. Do you think that 1 *l.* 15 *s.* is a reasonable sum to pay for taking a ship up from Kingroad to Bristol?—That is what they have been accustomed to receive, and what has been ordered.

6762. Do you think, having regard to the wages and the ordinary remuneration for professional skill of that kind, that that is a fair and reasonable charge?—I must leave that to the authorities.

6763. You have great reverence for the authorities?—Yes, very great when it is necessary.

6764. What is the distance from Kingroad to Bristol?—Nine miles.

6765. What time does it take for a vessel coming up on a tide?—The pilot goes out from Pill to take charge of her at the last ebb, and the first run of flood tide, and that would occupy six or seven hours.

6766. Is that from the time he goes out to the time he goes into Bristol harbour?—Yes.

6767. And for six or seven hours work, he has 1 *l.* 15 *s.*?—Yes.

6768. That seems pretty good pay, does it not?—It is not every day's work with him.

6769. I suppose when the docks are completed at the mouth of the river, the question of river pilotage will be a subsidiary one altogether?—The question then will be a question of £. *s. d.* The one is admitted into the port of Bristol for a shilling, and the other will be 3 *s.* per ton into the new docks.

6770. I suppose the larger class of steamers would in all probability avoid the river altogether?—I suppose that is the intention in placing the docks there.

6771. So that the important question would then be, the pilotage up to Kingroad, and not the pilotage up to Bristol?—Yes.

6772. You stated just now, that you were a great deal influenced by the opinion of the authorities. I know you have a great deal of experience of nautical matters; I will not press you to answer this if you do not like to do so; but will you tell the Committee what your real honest opinion is, from your long experience of the matter, as to the safety or otherwise of leaving the pilotage free up to Kingroad?—I can only give the answer that I have given before, that if I were at sea to-morrow, and came into Lundy, I would take a pilot.

6773. But you are not prepared to tell the Committee that the experiment of non-compulsory pilotage from Lundy has been found conducive to inconvenience, as far as those ports are concerned?—No.

6774. Of course you know Lundy very well?—Yes.

6775. It is rather a rough place for pilot boats to be in, is it not?—No, not with westerly winds; it is sheltered.

6776. But with easterly winds is it not a rough place?—In that case they have to go to the other side and wait.

6777. Is it a safe ground for the pilot boats to lie in?—Yes.

6778. You do not consider it a great hardship in laying there at Lundy?—No.

6779. Do you know the pilotage of the Mersey well?—No.

6780. Not theoretically?—No.

6781. We heard a good deal of the great hardship to which the pilots were exposed, and the hazard and risk of life to which they were exposed in keeping their stations at Point Linas; are you aware of that?—Yes.

6782. Do you think that there is anything analogous to that, in the position of the stations which the Bristol pilots have to keep?—I have stated to the Committee that, since I have been in office, we have lost three boats and their crews, which have foundered in keeping the sea.

6783. Are you of opinion that if compulsory pilotage were abolished altogether in the Bristol Channel, there would be any difficulty in getting the pilots to cruise as far as Lundy?—I do not think the inducement would be enough to take them there: in the summer weather I think the men would come up as far as Minehead, that takes 4 *l.* 4 *s.* out of the 6 *l.* 6 *s.* for the pilotage. The pilots get 6 *l.* 6 *s.* from Lundy Island, and 6 *l.* 6 *s.* from Minehead.

6784. Do not you think the pilots would still go as far as there was any reasonable probability of their being employed?—There is a great doubt about that, inasmuch as the captain would have the power to say, no, and now he is obliged to say, yes.

6785. Have you ever heard of any complaint with regard to those ports, in respect of which the pilotage has been made non-compulsory?—No.

6786. Then I ask, is it not a reasonable inference, that if it were non-compulsory in the other ports, they would have no course of complaint?—I do not draw inferences.

6787. On reconsidering the matter, do not you remember that this Bill for the establishing of a separate system of pilotage for the several ports in the Bristol Channel, Gloucester, Newport and Cardiff, was promoted by the pilotage authorities of the port of Bristol, for the express purpose of making it a non-compulsory pilotage?—No; I remember coming here, and I remember upon the preamble we were dismissed from the room, and then when we came in it was declared that it was to be free, non-compulsory pilotage.

6788. At whose instance?—At the instance of the Honourable Committee.

6789. Do you think that if the Committee had been asked to establish a system of compulsory pilotage, they would have taken the com-

Captain *J. Drew.*

13 May 1870.

pulsory pilotage power out of the Bill, and made it non-compulsory, excepting at the instance of some party or the other?—I do not think that was done.

6790. You do not remember?—No.

6791. Mr. *Malcolm.*] You said that the Chamber of Commerce was against compulsory pilotage outside?—They are against it.

6792. But still they are for keeping it up in the river?—I believe so.

6793. In fact, it is admitted on all hands that it is necessary for the good of the trade to keep it up in the river?—Yes.

6794. What is the width of the navigable channel?—The broadest part is not more than a quarter of a mile; about 400 yards.

6795. And what is the narrowest part?—It is regulated by the tide, from 17 feet to 32 feet; the tide gives a great span of water; it is entirely out of my power to say what it would be, except at certain tides.

6796. Take it that there are 17 feet of water; what is the narrowest part then?—Two vessels cannot pass each other then.

6797. You have not got 60 feet?—No; there is not enough room without one or the other going ashore.

6798. You said there was a good deal going on in the way of improvement in the river?—Yes, we are laying out 200,000 *l.*

6799. That is chiefly for dredging, is it not?—In dredging, cutting off the points and making a fresh entrance into the basin; instead of being at right angles, we are to have a straight entrance into the basin.

6800. That is merely an entrance into the docks?—Yes.

6801. It has nothing to do with the general course of the river?—No, but we are improving the regular course of the river by cutting off points.

6802. Under what body is that being done?—The Docks Committee; part of the municipal body.

6803. They are the same body that regulate the pilotage?—Yes, precisely.

6804. You said that all your coasters and Irish traders were free of pilotage?—Yes.

6805. That is if they carry licensed masters, is it not?—No; by Act of Parliament they are free.

6806. Do you know what proportion they bear to the whole trade?—No.

6807. Something very considerable, is it not?—If you take the Irish trade into it, it is very considerable; the Irish trade is carried on by steamers, and they have always licensed men on board; their captains are certificated as captains of home passenger ships.

6808. You say, first of all, that the coasters and Irish traders are not obliged to carry pilots?—No, because they carry no passengers; the steamers carry passengers.

6809. And yet you say that the main part of the Irish trade is done by steamers, and that they do carry pilots?—Yes; because they carry passengers. Pilots' certificates are granted to the captains of Irish boats because they are home passenger ships.

6810. Mr. *Gourley.*] Do you know the north-east coast in the neighbourhood of the Tyne and the Wear?—No.

6811. You know nothing of the dangers of that coast?—No.

6812. What are the peculiar dangers in the navigation of the Bristol Channel?—The Bristol Channel is full of shoals of sands.

6813. What is the distance between the shoals at the entrance to the channel?—The first we come to is the Helwicks, 20 miles from the entrance.

6814. What distance is that from Lundy Island?—Twenty miles.

6815. Are there no pilots at that shoal?—No; they are taken at Lundy before they come to it; but the Helwicks are more in the way of Swansea.

6816. Do you consider that all ordinary captains are capable of navigating their ships up the Bristol Channel without the aid of pilots, and simply with the aid of their chart?—No; the sets of the tide are so uncertain in the Bristol Channel.

6817. But large numbers of vessels do navigate the Channel without pilots?—Not a large number.

6818. Do not all the vessels going to Cardiff navigate the Channel without pilots?—No.

6819. Are those vessels that navigate the channel without pilots as safely navigated as those that carry pilots?—That is a mere matter of opinion.

6820. As a rule, are they?—No, I should say not, as a rule; vessels that are navigated by persons acquainted with the Channel could stand a much better chance of being well navigated.

6821. As a rule, I believe you have very little loss in the Bristol Channel?—Not much.

6822. Have you more loss in the River Avon than in the channel?—We have continually vessels being put ashore in the river; they are not lost; we get them off.

6823. Are those vessels which are put on shore in the charge of pilots?—Yes, occasionally.

6824. If they were left in the charge of captains, do not you think they would be navigated more safely than under the charge of pilots?—No, certainly not.

6825. When a pilot is on board a ship, whom do you think ought to be responsible for the navigation of the vessel in pilotage waters; do you think the captain or the pilot should be responsible?—I think that the captain has still the responsibility, but the pilot has to direct him.

6826. Supposing the captain should refuse to follow the instructions of the pilot, and there happened to be a pilot on board such a ship, what would you do in such a case?—Of course the captain would take the responsibility, whatever it might be.

6827. Then the pilot really would have no responsibility?—He would be relieved of it.

6828. In all cases the pilot should be relieved, you think, whether the captain is following his instructions, or refusing to follow his instructions; you said that the pilot had no responsibility, and that he should simply be on board the ship for the purpose of giving directions to the captain?—I think it has been ruled that the pilot is to conduct the vessel, but the captain is the responsible man.

6829. How can the captain be the responsible man when the pilot is giving orders?—If the captain saw the pilot running any risk, he would be justified in taking means to prevent the risk.

6830. And justified in taking the charge out of the hands of the pilot?—Yes.

6831. Is the master not in all cases competent to take the charge of the piloting of the ship just as well without as with a pilot?—The captain may

may be at a place where he has never been before, and which he has never known anything about.

6832. In that case he should follow the instructions of the pilot, if he took one on board, should he not?—Of course the pilot would then conduct the vessel.

6833. Would you make the owner responsible for the negligence of the pilot, in the event of the pilot putting the ship aground?—No.

6834. Would you make the pilot responsible?—Yes: and I think under the 388th section of the Merchant Shipping Act, he is responsible.

6835. What is the value of the boats which you have in connection with the Bristol Pilotage Board?—The men themselves value them much higher than I do. I take it that the real value would be what they would fetch in the market; they value them at 20,000*l.* I think that is beyond the real value.

6836. Who do they belong to?—The pilots themselves.

6837. Mr. *Cave.*] I will just ask you a few questions as to the Irish trade; when you say the Irish trade is exempt, that exemption is more nominal than real, is it not?—The Irish trade is carried on by steamers, and they carry passengers; and the Merchant Shipping Act compels all home passenger ships to carry pilots or certificated men on board; either masters or mates.

6838. Then vessels that are really exempt from pilotage altogether, not having at the same time a certificated master or mate, are small coasters?—Small coasters.

6839. It amounts to no more?—No more.

6840. Those are very small vessels?—There is seldom ever one reaching 80 tons.

6841. You were asked whether it was not a pilot's question; I suppose you would consider that it is better for the trade to have a good supply of pilots than a bad supply?—Yes.

6842. Therefore the interest of the pilots and the interest of the trade is the same?—Yes.

6843. You were also asked whether you had been in the upper part of the Severn, and it appears that you have not been much of a traveller?—I have been a very great traveller, but not upon the Severn.

6844. I suppose you have been in the habit of looking at charts?—Yes.

6845. I suppose a practical man like yourself does not need to go up a river to judge of the navigation of it, if he has a chart to look at?—No.

6846. And it does not require a very competent man to see, by looking at the chart, that there is a considerable difference between the navigation of the Severn and the navigation of the Avon between Kingroad and Bristol?—There is no doubt of that.

6847. Is it not the fact that in the Severn the tide varies very much with the wind?—Yes.

6848. And therefore no tide tables are to be relied upon as to the tide?—No; the easterly wind cuts down the tide, and the westerly wind increases it.

6849. Would the westerly wind bring in a "bore" sometimes as much as six feet high as far as Newport?—Yes.

6850. The honourable Member for Gloucester asked you about the new port at Kingroad; when the docks are fully established for vessels there, the Avon will be a means of communication between one part of the port of Bristol and the other, will it not?—Yes.

6851. And it will be more like a canal than a public river?—I think the river will be made use of as much as it is now with vessels which can navigate it free and without difficulty.

6852. There will be docks at one end and docks at the other, with the Avon as a communication between them?—Yes.

6853. Therefore the necessity for keeping the channel between one part of the harbour and the other clear, would be still greater than if the docks were only at one end?—Yes.

6854. The honourable Member for Gloucester also asked you whether old and obstructive Bristol was not in favour of keeping the compulsory system in the Severn, and whether young and energetic Bristol was not in favour of having it voluntary in the Severn: now, I ask you whether young and energetic Bristol is not unanimous in desiring the compulsory system to be retained in the Avon between Kingroad and Bristol?—Yes, both young and old desire it.

6855. Mr. *Grieve.*] You have, of course, read the Bill which proposes to do away with compulsory pilotage?—Yes.

6856. Are you aware that if the Bill passes, the existing pilotage authorities will be preserved intact?—Yes.

6857. Supposing that to be the case, do not you think that vessels would still take pilots from Kingroad up to Bristol under the voluntary system?—I think, generally speaking, they would do so; but I think there may be exceptions to it, and one exception may block our river for 10 days together.

6858. Why should not voluntary pilotage be as good as a compulsory one?—If a man had the choice of saying, "I will not take a pilot," that man may put his ship on shore, and stop the river up.

6859. You say you are satisfied that, under the voluntary system, vessels would still continue to take pilots between Kingroad and Bristol?—Yes.

6860. There is a clause in the Bill that no man can navigate a ship between Kingroad and Bristol, but their vessels must be navigated by pilots; all vessels must take a pilot?—The captain can act as pilot if he is certificated.

6861. Supposing this Bill passes, if a man wants a pilot he must take a licensed pilot?—Yes.

6862. Then what is the difference between the voluntary system and the compulsory system?—A man may bring up his vessel without the assistance of anybody, under the voluntary system.

6863. But you say they will still continue to take pilots under the voluntary system?—Yes, a man of any prudence or caution would take one.

6864. Mr. *Gourley.*] Was your river blocked up when the "Demerara" was across the river?—Yes.

6865. Was she in charge of a pilot?—Yes, she was; there was a great error in judgment upon that occasion.

6866. Then your pilots are not always safe navigators?—There was a want of judgment in the affair of the "Demerara."

6867. You said that you thought that many masters would run great risks in order to save a few shillings of pilotage; do you think that masters of vessels, having not only their own lives at stake, but those of their crews, for the sake of saving

Captain *J. Drew.*

13 May 1870.

saving a few pounds would not take pilots?—There is no risk of life in the River Avon.

6868. But I speak of the Bristol Channel generally; do you think that the master of a ship would really risk his own life and the lives of his crew that are on board, when it was actually necessary to take a pilot, by neglecting to take one?—I think that the man at the time would not take that into account.

6869. Do you think that he would run the risk of drowning himself?—I do not think he would think of that at the time.

6870. I suppose you never run such a risk?—No.

6871. And I presume the majority of shipmasters are all as prudent as yourself?—I think they take all the caution they can of the lives and goods which are entrusted to them.

6872. *Chairman.*] Do you think the navigation of the Avon will be maintained in as good a state as at present?—Yes, it will be kept in as good a state as we can keep it.

6873. I presume there are a considerable number of small coasters coming up the river?—Yes.

6874. A very large number?—We have a large coal trade from Newport and Cardiff.

6875. All that is exempt from pilotage, is it not?—Yes.

6876. And the vessels do not take pilots?—No.

6877. And notwithstanding that, the navigation is kept tolerably clear, is it not?—Yes; sometimes they go ashore and cause obstruction, but not sufficient to prevent a large vessel passing.

6878. At present the fact that these small vessels do not take pilots, does not really interfere with the navigation of the river?—Not much.

6879. Mr. *Cave.*] But you do see small vessels frequently ashore, do you not?—Yes.

6880. But they are not of sufficient size to obstruct the navigation of the river?—No.

6881. Mr. *Gourley.*] Who acts as policemen over sunken vessels?—I have the power to get them away.

Captain JOHN ROSSER, called in; and Examined.

Captain *J. Rosser.*

6882. Mr. *Cave.*] I BELIEVE you are harbour-master of the port of Swansea?—I am.

6883. How many years have you been harbour-master?—I have been nine years harbour-master. I was five years deputy harbour-master, and for 14 years before that I was a master in the merchant service in the coasting and foreign trade.

6884. I believe you have the entire control and management of the pilots and pilot boats in the port of Swansea?—Yes.

6885. Will you describe the port of Swansea, and how many docks it has?—It has two docks and a tidal harbour.

6886. What is the average depth of water in the Channel?—Twenty-one feet springs and 15 feet neaps; it depends entirely on the wind and weather.

6887. There is a considerable difference in the tide according to the wind, is there not?—Yes.

6888. Can you rely upon the time tables for the tide?—In moderate weather we can; but in strong winds from the westward we have a large increase of water. I have known it as much as seven feet above the flow of the tide; that was in November 1865; and with an easterly gale I have known a difference of three feet.

6889. How many vessels come in every month?—About 450.

6890. What is the tonnage?—They would average about 130 tons, but vessels come in up to 1,000 or 1,200 tons with cargo.

6891. They bring in 450,000 tons of cargo, and take out 900,000 tons of coal, and 100,000 tons of general cargo?—Yes.

6892. Is there any peculiarity in the port of Swansea in consequence of the works which have been performed of late years, which makes it more difficult?—Yes; the port of Swansea is dry from half ebb to half flood, and the entrance Channel is 150 feet to 170 feet wide from the entrance of the harbour to the docks.

6893. Has there not been some extension in the piers?—Yes; the piers have been extended to 1,000 feet; the south dock is 1,700 feet from the end of the extension.

6894. How long is it since the alterations were made in the piers?—The extension was completed two years since.

6895. Do you consider that that makes the entrance more difficult than it was before?—Yes.

6896. Are your docks always open for vessels?—In bad weather they are; our harbour is more a harbour of refuge than a river harbour; we dock ships in any weather.

6897. You have vessels come in with the wind from the south-east or south?—Yes; when they cannot get up the channel they take our harbour, and run into it as the harbour of refuge. I have known 100 sail of vessels come in with a tide. Some bound to Swansea and others bound up the channel, chiefly seeking.

6898. Are there railway bridges across the harbour in various places?—Yes.

6899. How many of them are there?—There are three railway bridges, and two bridges for foot passengers, and a tramway.

6900. There are five bridges altogether?—Yes; but there are three bridges that are worked by railway companies' locomotives.

6901. Are those bridges drawbridges or swing-bridges?—Drawbridges; they are under my control.

6902. There is no headway under any of them for a vessel to pass, is there?—No; they have to be opened at all times of the tide for vessels to pass.

6903. I suppose the channel is the narrowest where the bridges are?—Yes.

6904. I suppose they require the greatest care?—Yes. The width of the channel where the bridges are is 200 feet, but between the piers it is 64 feet.

6905. I believe at every tide the pilots are informed what large vessels will be going out?—Yes.

6906. And those who bring them in know what outward-going vessels may be expected?—Yes, they know it by their tug-boats that go out; we give instructions to the tug-boats when to go out, and when to bring the ships in, and whether to bring them in before the other ships go out or not.

6907. When the water is falling, if the vessels do

do not get to sea immediately, they are detained, are they not?—If detained on falling tides it might happen they would be detained for a week.

6908. If it happens to be close to neap tides the detention may be for a great many days, I suppose?—If a vessel gets ashore in the Channel she may be detained a week.

6909. That is a great inconvenience to other vessels, is it not?—Yes, the vessels may be detained for a week; and one vessel may interfere with all the work of the harbour should she bring up in the channel.

6910. In the winter are the highest tides generally by daylight or at night?—At night; they flow late and early; the highest tide flows generally at seven o'clock.

6911. So that the work is constantly done after dark during the winter?—After dark and before daylight.

6912. How many hours before high water, and what time after high water, are the dock gates open?—We are generally ready for docking ships two hours before high water, and we work an hour after high water.

6913. Then you may say that on the average you have only three hours in which to work in each tide?—Yes.

6914. In certain times, I suppose, the harbour is quite dry?—Yes, from half ebb until half flood.

6915. You have also a system of signals, have you not?—Yes; we know when we see a ship coming, night or day, what dock she is for.

6916. The pilots are signalled from you, and they signal to each other and to the vessels, is not that so?—Yes.

6917. The pilots, I suppose, get orders as to what docks the vessels are to go into?—Yes, the orders are put up in the pilot office; the orders are first sent to the harbour office, and are then sent to the pilot office.

6918. Supposing a master was a good navigator, but was not acquainted with the dock signals, he could not give the usual signals to the port, and he could not come in without difficulty?—No; in coming in, if a vessel signals, we keep the entrance clear; and if a vessel does not signal, she would have to bring up and stop the navigation.

6919. That has nothing to do with a man knowing the navigation, but is simply from his not knowing the signals of the harbour, and the pilots' signals as well?—Yes.

6920. The water runs away very fast from the vessels, does not it?—Yes.

6921. And very little hesitation will put a vessel on the ground?—Yes; the first hour it generally ebbs, on the average, 2½ feet.

6922. Are there many trains going across these bridges which you have mentioned?—Generally four or five passenger trains regularly during the day, and many coal and goods trains; we have eight or ten of them, and in summer time we have two or three excursion trains as well.

6923. You have from 15 to 20 trains in the course of the day?—Yes.

6924. It would be possible, would it not, for a vessel which was not properly handled, to get aground between the bridges?—Yes, and a vessel may drag between the bridges and stop the whole of the traffic of the trains.

6925. Do you dock vessels in any weather, night or day?—Yes, we always dock them end on.

6926. Could you do that if you were not certain that there was a pilot on board who had ropes and anchors, and everything ready to bring up?—No, if we were not satisfied that a pilot was on board, the vessel would have to wait.

6927. You dock vessels end on, do you not?—Yes, sometimes they come in four or five knots an hour; we have no means of rounding them to; we must take them end on.

6928. If they miss but ever so little, they go ashore?—Yes, and there they remain for the tide, sometimes for longer.

6929. Is that the case with other ports in the Channel, such as Cardiff and Newport?—No; in Cardiff they remain at the Penarth Roads till they are ordered in, and they never dock a ship in Cardiff until she is ordered in.

6930. A vessel first brings up in the Penarth Roads, and then finds out when she can get into Cardiff Docks?—Yes.

6931. Could not you have a system of the same sort with regard to the Mumbles?—Yes, but that would be a great inconvenience to the shipping.

6932. What would be the inconvenience compared with Cardiff?—Generally speaking, the Cardiff ships are light, and the ships that we have are generally laden with copper ore and different other minerals.

6933. Therefore, it is of more consequence for them to get into port quickly?—Yes, I mean that it frequently happens that a ship comes right up from the sea with all her canvass loose and worn out; we can see her coming three or four miles off; generally at night time, they are tended by two tugs; and first one of the tugs comes in and gets orders whether they are to come in or not.

6934. Is the Mumbles further off from you than the Penarth Roads are from Cardiff?—There is not much difference, but we are more exposed than they are at Cardiff.

6935. Is the Mumbles a safe place to bring up in?—We are open to the south-west wind.

6936. Is it much safer to lie under Penarth than under the Mumbles?—Yes.

6937. It would not be safe for vessels habitually to lie in the Mumbles Roads for orders to get into the docks, would it?—No, they do frequently lie in the Mumbles Roads in certain winds.

6938. As a system, would it not be far better to come direct in?—Yes.

6939. Because the Mumbles Roads are much more unsafe than Penarth?—Yes, much more.

6940. Is it more difficult for a vessel to go on shore from the Mumbles than it is at Penarth?—Yes, they have much more sea to contend with.

6941. So that no boat can communicate with the shore?—They could communicate with the shore, but they could not get off to the ship again; they could not get alongside; they are sheltered from the westerly wind at Penarth.

6942. Do you hear of any objection from the trade of Swansea to the present system?—No, the shipowners and masters generally are satisfied with the present system.

6943. And the coasting vessels?—They very seldom object; there is not a single coasting sailing vessel which has taken out a certificate.

6944. If they have not taken out a pilotage certificate, are they navigated by pilots?—All coasting vessels are exempt under 50 tons register, with a cargo, and all vessels under 100 tons with ballast, are exempt.

6945. Are they exempt altogether?—Yes.

Captain *J. Rosser.*

13 May 1870.

6946. Are they not obliged to have a licensed master or mate on board?—No.

6947. Do they, as a matter of fact, come in navigated by their masters, or do they take pilots?—They frequently take pilots, especially in bad weather; if the weather is very fine, they can get a steamer, and come in without a pilot.

6948. And into the dock?—No, very seldom into the dock; they generally lie in the tidal harbour.

6949. They lie on the mud?—Yes.

6950. You have not heard complaints from them, have you?—No, we have very seldom had complaints.

6951. There is not so much trade in small vessels at Swansea as there is at Cardiff?—No, we have not so many vessels in ballast as they have at Cardiff.

6952. You know that there is a tidal harbour at Cardiff?—There is a tidal harbour at Penarth.

6953. And there is another tidal harbour at Cardiff, outside the docks, is there not?—There was, but it is done away with.

6954. Has it been done away with since the new dock has been made?—Yes.

6955. How many pilots have you?—Forty-nine sea pilots, and besides them we have six harbour pilots.

6956. What is the difference between the two?—The harbour pilots generally move the ships from dock to dock, or move them from one part of the river to another.

6957. But the sea pilots bring the vessels into the dock and the harbour?—Yes.

6958. So that they do all the pilots' sea work and the harbour work besides?—Yes; but they seldom move a ship in a dock from any part of the dock to another.

6959. How many superannuated men have you?—Seven or eight.

6960. Upon what principle do you superannuate them?—After 60 years of age, if they are unfit for duty.

6961. Whether they are competent or not?—No, if they are active men; after 60 years of age we allow them to bring in ships under 400 tons.

6962. You pass them under review after 60 years of age?—Yes; they are not compelled to go to sea as the other pilots are.

6963. How many pilot boats have you?—Nine.

6964. What is the tonnage of those pilot boats?—They average from 22 to 35 tons.

6965. You have a superannuation fund, I believe?—Yes.

6966. What have you in it?—I think we had 1,700 *l.* in hand. Pilots pay 2½ per cent. on their gross earnings, and two guineas annually license money.

6967. And you allow 7 *s.* a week for all your superannuated pilots, and 10 *s.* a week for your sick pilots?—The pilots receiving 7 *s.* a week now have not paid into these funds.

6968. What are your gross earnings?—They average 100 *l.*, and six of the pilots average 214 *l.* Those are the net receipts.

6969. What do you take out of the annual earnings?—One-fourth of the gross earnings for the pilots and the pilot boat's crew; 2½ per cent. poundage, and two guineas annually for license.

6970. Do you provision the crews?—No; they find themselves.

6971. When you say 100 *l.* is the net earnings, out of that they have to pay for provisions and clothing?—That is the earning of all, on the average; some get more and some get less; some pilots would not get more than 50 *l.* or 60 *l.* He that does the most work gets the most money.

6972. That is the system; the man who does the most work gets all that he earns?—Yes; with the exception of the poundage.

6973. There seems to be some little discrepancy between your amount, and that published by the Board of Trade; are the pilots compelled to go to sea in their turn?—Yes.

6974. Do they go at any other time?—They do as often as they think proper. The men who get the most money go to sea when they can get a chance.

6975. How many pilots are there in each boat?—Four.

6976. What is their cruising ground?—Four miles west of the Helwick light ship.

6977. How far is that from the Mumbles?—Twenty miles.

6978. Do they go to Lundy?—They frequently go to Lundy; they are frequently on the coast of Devonshire.

6979. And the Nash Sands?—They seldom go up Channel unless they expect something. Those are their limits. There is no place to be between the Mumbles and Lundy; but that is their cruising ground.

6980. Do they go much down to the south of Ilfracombe?—Very little, unless the wind is to the south-east.

6981. Your object is to serve vessels bound for Swansea alone?—Yes; but when the wind is to the eastward they frequently speak vessels bound up Channel. When they are likely to be going to Swansea, of course they would speak her.

6982. Supposing you put a pilot on board a Cardiff vessel, would he be liable to be superseded by a Cardiff pilot?—Yes; the hobblers and pilots board ships, and they remain in charge till they are superseded by Newport, Cardiff, or Bristol pilots.

6983. Then they naturally go to that tract which the Swansea vessels keep?—Yes; it frequently happens that vessels, when they cannot get a pilot about Lundy, come round our way and cruise about. It depends entirely upon the wind and weather.

6984. Vessels bound to Swansea from the westward keep more to north?—Yes.

6985. And for that reason your pilots go to the north rather than the south?—Yes; our pilots are not allowed to go down to Lundy.

6986. Why not?—We applied for our limits to be extended in 1866, and they were not extended.

6987. Your pilotage limit does not extend there?—No.

6988. You cannot charge rates from Lundy?—No.

6989. Your rates begin at the line between the Nash Sands to the Helwick light ship?—Yes.

6990. You always examine masters when they apply for certificates, and you grant them if they are qualified, do not you?—Yes, I have always granted certificates.

6991. Is there a regular steam trade to Swansea?—Yes.

6992. Where from?—From Glasgow, Liverpool, and Bristol.

6993. And

6993. And the masters of those vessels hold certificates I believe?—Yes.

6994. There are some parties who complain of compulsory pilotage in your port, are there not?—The screw collier owners do, but the masters very seldom do; they complain of inward pilotage.

6995. Why do they complain?—Because they come in light; they draw but very little water, and they pay according to the tonnage.

6996. They think they ought to pay according to the draught of water?—Yes, the outward pilotage is a mere nothing compared with the inward pilotage.

6997. *Chairman.*] What is the difference between the two rates?—The difference on a vessel of 200 tons would be between 2 *l.* 17 *s.* 6 *d.* and 1 *l.* 2 *s.*

6998. Do many vessels come in light to Swansea?—Yes, and a great many come in loaded.

6999. I believe the greater proportion come in light?—Yes.

7000. And all the masters of these vessels complain of compulsory pilotage?—The only parties who complain are the screw colliers, for they are very light.

7001. You stated that vessels under 100 tons in ballast are now exempt?—Yes.

7002. Do a considerable number of vessels under 100 tons come in in ballast?—Yes, in fine weather.

7003. Do a considerable number come to your port under 100 tons?—Not many.

7004. What number would you say?—5,226 came in in 1869, and 3,586 took pilots.

7005. Of those that took pilots, how many were vessels not bound to take pilots?—I do not know.

7006. You stated that the greater number of vessels that were not bound to take pilots did take them?—Yes; in bad weather they always do; even the smaller vessels under 50 tons are glad to get pilots in bad weather, but the regular steamers never take pilots when the wind is to the southward and blowing strong.

7007. That is pretty often, is it not?—In winter time it is.

7008. Most vessels take pilots in winter time, do they not?—Yes; most vessels take pilots in winter time.

7009. Mr. *Brassey.*] Do you give any advantage to steamers with regard to rates over sailing vessels?—No; they are all the same rates.

7010. Mr. *Price.*] Your pilots do not cruise off Lundy much, do they?—No.

7011. They do not cruise there as a matter of course?—No; they go down there frequently, but it is not their regular cruising ground.

7012. You do not consider that it is necessary that ships should take pilots at Lundy for the port of Swansea?—The ships are always glad, in bad weather, to get a pilot at Lundy for the whole of the Bristol Channel; but in fine weather, where they can save the distance, they will evade pilotage.

7013. How is it that Swansea pilots do not go down there in bad weather?—The distance money is a mere nothing; it would not pay for the wear and tear of the boat.

7014. They would not get paid for it, except within the limits of their jurisdiction?—No.

7015. Do you remember the inquiry into the pilotage question of the Bristol Channel, conducted at Bristol by Admiral Beechy?—No; I was not in office then; I was a master of a vessel at that time.

7016. I believe Swansea was represented on that occasion by Mr. Thomas?—Yes; the clerk of the harbour trustees.

7017. Have you any knowledge of what took place before that commission?—No.

7018. You never knew?—No.

7019. I suppose you know generally that all the upper ports of the Channel claimed before that Commission that they should be relieved from compulsory jurisdiction?—Yes; the great objection was to monopolising the Bristol Channel pilotage.

7020. Do you remember that they had two distinct objections; the one to the compulsory jurisdiction of Bristol, and the other to compulsory jurisdiction at all?—I do not remember it at all.

7021. You say that you have some knowledge of Cardiff; I suppose you have a pretty intimate knowledge of it, have not you?—I know most of the ports on the Bristol Channel.

7022. Do you know what the opinion of the merchants and others at Cardiff is, with respect to this question of compulsory pilotage?—No, I do not.

7023. Supposing they are dissatisfied with their present system, should not you be likely to hear of it?—The whole of the Bristol Channel complains of not being able to get pilots in bad weather at Lundy.

7024. Does Cardiff complain?—Yes, and Newport.

7025. Do you know that they are coming here to say so?—I do not know that.

7026. We only hear that from Swansea?—I fancy you will hear it from everywhere, but I know it as a fact, that all ships are glad to get pilots in bad weather, when there are no pilots to be found.

7027. Can you specify any complaint?—I know that several vessels were taken up the Channel by hobblers from Ilfracombe up to Cardiff and Newport; the only men who keep to the westward are the Bristol pilots.

7028–23. Do you find that your own ships have a difficulty in getting pilots at Swansea?—Yes, to the westward our ships always complain.

7033. Your objection to the present system is not that you cannot find the pilots, but that you have to pay them too much?—That is the great objection of the shippers. If one of our pilots fell in with a 450 ton ship at Lundy he would get 15 *s.* If a Bristol pilot fell in with that ship he would get 3 *l.* or 4 *l.*

7034. Your objection is to the rate that you are paid, and not to the system, because it does not give you sufficient pilots?—We have no objection to doing away with compulsory Channel pilotage; all we want is harbour pilotage.

7035. Would you desire to retain compulsory pilotage within the present limits, or within narrower limits?—From the Mumbles inwards, within the harbour limits.

7036. Can you show it upon the map as distinguished from your present jurisdiction?—Yes. (*The Witness explained it on the map.*)

7037. We understand that you are perfectly willing to abolish compulsory pilotage altogether, so far as the Channel is concerned, provided that you can have it within Swansea Bay?—Yes.

Captain *J. Rosser.*

13 May 1870.

7038. Why do you wish to have it compulsory within Swansea Bay?—On account of the working of the harbour; not for the pilots.

7039. Supposing it were not compulsory, do you think the pilots would be out in winter?—No, I do not think they would be often out in bad weather.

7040. Do not you think they would be at the Mumbles?—They are compelled to go out now.

7041. Can you give us any reason why you think they would not go out in bad weather, because I find that a great many are of a contrary opinion; are your reasons founded upon any experience; why do you think the pilots would not remain at the Mumbles waiting for ships coming in?—If pilotage were not compulsory, I think any pilot who was refused in fine weather, would shirk the work in bad weather; I find by the working of other places, that it is so.

7042. You say that from the numbers, it is necessary for a ship to have a pilot, and she would always take one if she could get one?—Yes, in bad weather; but a ship would not take a pilot in fine weather when he could see the lights all about, especially a ship that would lie aground.

7043. You compel a ship to take a pilot in fine weather, in order that the pilot might be there for the ship in bad weather?—Yes.

7044. What would a pilot get for taking a ship of 600 tons from the Mumbles into the harbour?—For a ship of 600 tons they would get 4*l.*

7045. That is for going from the Mumbles to Swansea Harbour?—Yes.

7046. Do you mean to say that for the chance of getting 4*l.* a pilot would not always be found at the Mumbles when it was likely a person would require his services?—Yes; if he knew that a 600 ton ship was coming up.

7047. The pilots are always to be found at Gloucester, Newport, and Cardiff, are they not?—They are up Channel, but not down at Lundy.

7048. You do not ask to have it compulsory down at Lundy, you only ask to have it compulsory from the Mumbles to Swansea Harbour; you abandon Lundy altogether?—The Gloucester pilotage is almost entirely river pilotage; there is no sea to interfere with a ship bound to Gloucester.

7049. As a matter of fact, a master of a vessel finds a pilot as soon as he wants to get one, does he not?—In fine weather he does, but not in bad weather.

7050. You say that in bad weather he does not find a pilot at Lundy?—No.

7051. But you are not asking to have compulsory pilotage from Lundy; you abandon that altogether?—I am willing to give up Channel pilotage.

7052. The only question now is with regard to those points within which in your opinion it ought to be compulsory, and you say as far as Swansea is concerned, it is the Mumbles; and I suppose as far as Newport, Gloucester, and Cardiff are concerned, it would be the Holms?—Yes, for Gloucester, it would be so.

7053. Now take this case: you say that although they may not always find a pilot at Lundy, where it is not necessary that pilotage should be compulsory, yet they do always find them at the Holms?—No, I have not said so; they are not always to be found there.

7054. Do you know whether there are any complaints of pilots not being found at the Holms?—The pilots of Gloucester are different; the ships have to bring up at Kingroad, and wait; and what we want is that the ships shall not be detained, but come into the harbour with pilots on board; and in a gale of wind, with a pilot on board, we dock them; ours is the only port that docks ships in a gale of wind. Swansea is more of a harbour of refuge than any other place. I do not know of any tide for years past that we have not opened our gates to receive ships.

7055. Is it not true, according to your view, that there should be no such thing as a pilot between the Mumbles and Swansea. I want to know why, in your opinion, an ample supply of pilots would not be found if it were free from pilotage ground?—My reason is, that in stormy weather, with a southerly gale, pilots would not go out.

7056. Do you consider that it is much worse to lie in the Mumbles than to be in the Holms?—Much more so.

7057. Do not vessels lie in the Mumbles for orders?—Very seldom.

7058. They used to be there till they had the Penarth Roads?—By chance, some of them do; but it is very seldom.

7059. They did lie there till they had the Penarth Roads; is it not the fact now that there are more ports up the Channel?—Yes.

7060. Large fleets formerly used to be there, did not they?—Not in my time.

7061. What is your time; since when?—I was the master of a vessel to Gloucester in 1842.

7062. What is the distance from the Mumbles to Swansea?—3¼ miles.

7063. That is the only ground that you think ought now to be covered by compulsory pilotage?—I think the whole of it ought to be; but that is all we intend going in for. I think the whole of the Bristol Channel ought to have compulsory pilotage; then we should have a good system of pilotage, the same as they have at Liverpool.

7064. I do not understand you; you said that you would have no objection to have the whole Channel free?—I think the whole of the Bristol Channel, in the interest of all concerned, should have compulsory pilotage.

7065. What do you mean when you say that you would have no objection to have the Bristol Channel free?—We do not wish to argue it; but the pilots prefer it.

7066. Do the trade prefer it?—I think, on the whole, if our pilotage were compulsory, pilotage rates would be reduced, to a certain extent. Remember the distance which we go for our money to what other pilots do. If our distance was extended to Lundy, and all ships were compelled to take pilots, we could form a station there.

7067. You think that would be the best for the pilots?—Yes, and for the trade as well; we could reduce the fees, and have a better class of pilot boats.

7068. That is if you could consolidate the jurisdictions?—Yes; since the compulsory pilotage has been done away with, the number of pilot boats has been reduced in the Bristol Channel; there used to be a large number of pilot boats in the Bristol Channel.

7069. Would not they be more likely to do it if

if the pilots were free to combine and get a better class of pilot boats?—The whole of the Bristol Channel pilots, with the exception of Swansea, are passed for the Bristol Channel, Gloucester, Bristol, Newport, and Cardiff.

7070. What I understand you now to say is, that you think under a compulsory system of pilotage you might get the union of these different jurisdictions, and by that means you might get a better system of pilotage for the whole Channel?—Yes.

7071. Are you aware that by Mr. Cardwell's Act of 1853, power was given to Bristol to incorporate all the other jurisdictions?—But there is a wonderful increase of trade to Cardiff; it is more than the whole Bristol Channel put togegether.

7072. Was not one of the reasons why Gloucester, Cardiff, and Newport went to Parliament for an Act in 1861, that the pilotage authorities of Bristol would not avail themselves of the power given by Mr. Cardwell's Act to form one jurisdiction for the whole Channel?—I do not know. The reason they went was to do away with the monopoly of the Bristol pilots; all ships which were bound to Newport, Swansea, Bridgwater, or Bristol were compelled to take Bristol pilots.

7073. You think, if all the pilotage authorities could be combined into one, each port being represented, you might have a better service altogether for the Channel?—Yes; at a much lower rate of pilotage.

7074. I understand you to say, though you do not think compulsory pilotage necessary in the Channel for the safety of the navigation, you think it might lead to that result?—Yes.

7075. Now I will ask you is it not the fact that these three ports went for a separate Act of their own because, although during the existence of the compulsory jurisdiction on the port of Bristol they had ample power to unite these different authorities, they abstained from doing so, and refused doing so?—I do not know that, but I think they refused compulsory pilotage to Cardiff, Newport, and Gloucester in 1861.

7076. Do not you know that at that time those three ports desired to have the pilotage free from Lundy up as far as the Holms?—Yes; free of the Bristol pilots.

7077. Did not they also ask that the pilotage might be altogether free between Lundy and the Holms?—I am almost sure that they wished compulsory pilotage themselves, but they wished to have the limit extended.

7078. If they wished for that, they would have asked for it in their Bill, would they not?—I fancy they did; I fancy they were the same as we were in 1866; we asked for an extension of our limits to Lundy, but we did not get it.

7079. May we take it from you, that so far as the navigation is concerned, you see no objection whatever to the whole Bristol Channel being free, but you think if it were compulsory it might lead to a combination of the different authorities, so as to give a better service?—Yes; and I think it would be better for foreign-going ships.

7080. Supposing there was a combination of the different authorities under the voluntary system, would that answer your purpose equally well?—If it was voluntary, I do not think you would get the pilots to work to the westward; there are no pilots to be found in bad weather, except the Bristol pilots, and they are not always to be found.

7081. Even the compulsory system does not appear to keep them there?—They are a very small body, and by taking Newport, Gloucester, and Cardiff from them it reduces their position, and they are not in a position to keep their boats to the westward. If the whole of the Bristol Channel pilotage was compulsory, the Bristol people would be able to keep a station for pilot boats and pilots at Lundy equally with the Liverpool pilots.

7082. Mr. *Brassey.*] Supposing the distance money was increased, and your pilots were paid in proportion to the trouble and expense they incurred, by lying off Lundy, would not your pilots be disposed to earn more money in that case?—Yes.

7083. It is because the distance money is not sufficient that they do not go there?—Yes; our pilots board vessels in all sorts of weathers, in heavy gales of wind; they are out with their own pilot boats in the heaviest weather.

7084. Mr. *Price.*] Supposing you had the compulsory system of pilotage, and your pilots were obliged to stay in Lundy, would you not have to pay more then?—Yes.

7085. Then it is a question of pay, and not a question of compulsion?—Yes; but if all vessels were compelled to take pilots at Lundy, the rates of pilotage could be reduced.

7086. There are a great many masters of ships who gave in evidence before Admiral Beechy that they never require pilots till they get to the Holms; would you make that vessel pay pilotage from Lundy, in order that you might get your pilotage cheaper at Swansea?—If all ships were compelled to take pilots, the pilotage would be reduced.

7087. Do you think it fair to make all vessels take pilots who do not want them, in order that the vessels that do want them may get them cheaper in bad weather?—I think so.

7088. Do you know Captain Marshall?—No.

7089. Do you know Mr. Yeo?—Yes.

7090. He is a considerable shipowner, I believe?—Yes, I believe he is almost the largest shipowner in the Bristol Channel.

7091. Do you know that he gave evidence before Admiral Beechy to the effect that his masters did not require a pilot at all till they got up to the Holms?—I do not remember it.

7092. Mr. *Graves.*] What is the name of the authority that has charge of the pilotage at Swansea?—The Harbour Trustees.

7093. How are they appointed?—They are appointed by the shipowners, and by the traders of the port. You will find that 10 of them are corporation trustees.

7094. Is there an annual election?—Yes, the trustees are elected every two years.

7095. Do you say that the members of the trust represent the trade and commerce of the port?—Yes, and they are chiefly shipowners.

7096. Can you speak at all as to what the feeling of the trust is upon this question?—They are in favour of the pilotage to remain as it is.

7097. Is that the unanimous feeling of the trust?—Yes, it is.

7098. Has the trust any pecuniary interest in the pilot service of the port?—None whatever.

7099. Then it is chiefly to represent this pilot question from a harbour regulation point of view that you come here to-day?—Yes.

Captain *J. Rosser.*

13 May 1870.

7100. It is not in the interest of the pilots that you come?—No.

7101. Will you explain a little further to the Committee what are the peculiarities of the navigation in your river, which make you think it desirable that every vessel going in and out should have a pilot?—Our harbour is a tidal harbour, dry from half ebb till half flood, with two floating docks. We dock vessels two hours before high water and one hour after high water. From the end of the extension seaward to the first dock is 1,700 feet, and to the north dock 2,000 feet; and if a small vessel coming in were to bring up in that channel, with a large vessel coming in after her, or a large vessel going out, it would stop the whole channel. We are obliged to have the channel clear before we can bring a vessel in or out.

7102. What would be the result of a vessel getting aground from improper navigation?—She would break her back.

7103. There is no place of shelter or safety to get into?—No.

7104. There is no place where she could lie afloat?—No.

7105. So that the great anxiety of your trust is to ensure such an amount of care in bringing in and taking out a vessel that it shall be in no one's power by any accident, if it is possible, to avoid it, to obstruct the navigation of your river?—That is it.

7106. What are the bridges you have spoken of?—The bridges I speak of are the bridges across the tidal harbour entrance. They are railway bridges. The Vale of Neath and the Swansea Vale Railway bridges cross the tidal harbour.

7107. Do you think that with those difficulties in the way masters of vessels would be likely to run in there without pilots?—Some vessels would.

7108. And you are afraid that the consequence of that would be that they would create an obstruction to others?—Yes; small vessels who are well acquainted with the port would not interfere with us; they would go in on the mud where it is dry in low water; that is between the entrance of the pier and the railway bridge; Fabian's Bay; if they knew the signals they would not require pilots.

7109. Is it usual with you as it is with Cardiff, that no vessel should go into dock until she receives an order from the harbour master?—We dock vessels in any shape.

7110. Are you aware that no vessel comes into dock in Cardiff until she has received an order from the dock master?—I think so.

7111. So that there is a different principle at work there to what there is at Swansea?—Yes; they have more water at Cardiff than we have at Swansea.

7112. What control have you as a harbour trust over the pilots?—The harbour trust governs the pilots entirely; they are the body who govern the pilots. I represent the harbour trust, and I have the sole management of the pilots.

7113. Do you arrange their cruising ground?—Yes.

7114. And their stations?—Yes.

7115. And have you any daily knowledge of where each pilot boat is?—We know that the pilot boats are out of the harbour; but we do not know their position.

7116. Are the pilots allowed to hold shares in the tug boats in Swansea?—No; they are prohibited from holding shares in tug boats.

7117. Do you think that a desirable prohibition?—We have never known any of our pilots holding shares.

7118. It is not prohibited by an actual bye-law?—No, but I should not think it would be allowed.

7119. It is stated in the official paper that I have got before me, that in one port of the Bristol Channel the pilotage has been paid in a public-house; is that so in your port?—No.

7120. Where are your pilots paid?—They are paid by the foreign ships in the broker's office, and the smaller classes pay on board their ships when they go out.

7121. Do you know of any port in the Bristol Channel where they pay in a public-house?—No.

7122. It has been stated that your boats do not go so far westward as the others?—We are not allowed to go beyond our limits.

7123. Your limits are not so far to the westward as the limits of the Pill pilots, are they?—No; the Pill pilots, the Cardiff, Newport, and Gloucester pilots limits go as far as Lundy; ours do not.

7124. Do you know any of the other ports in your own neighbourhood well?—I know them pretty well.

7125. Do you know Neath?—Yes.

7126. Is there as much peculiarity about the entrance into Neath Harbour as there is at Swansea?—They are different. They never go into Neath in bad weather, or in the night time.

7127. They choose their own weather and their own time for going in?—Yes.

7128. There the system is compulsory, is it not?—I think the Neath pilots are Trinity House pilots.

7129. Do you know Llanelly?—No, I do not know it much.

7130. Do you know Cardiff well?—Yes.

7131. Would you consider that there is any difficulty in the navigation in and out of Cardiff to the roads?—There is very little difficulty altogether. Cardiff is a tidal harbour.

7132. It is a perfectly straight cut through the mouth?—Yes, and completely sheltered from westerly winds; they have no winds to contend with except the south-east.

7133. *Chairman.*] I suppose the navigation of the Channel up to the entrance to Cardiff is much more dangerous than from that to Swansea?—The Channel itself is much more dangerous from the Nash Sand to Penarth.

7134. Swansea is almost in the open sea, is it not?—Yes.

7135. Whereas Cardiff is some way up the Channel?—Yes.

7136. From the Nash Light up to Cardiff the navigation must be dangerous. Compared with the navigation of the open sea opposite Swansea, the navigation up to Cardiff must be much more difficult than the navigation to Swansea?—To a certain extent it is, but not much; the tide runs much stronger from the Nash upwards than it does below; but when ships get up to the Nash Light there is nothing but a clear shore to go along. The chief danger after passing Swansea would be the Scarweather Sands and the Nash Sands.

7137. Mr. *Cave.*] You speak chiefly as a harbour-master?—Yes.

7138. And

7138. And your object would be, supposing pilotage were made voluntary over the greater part of your present district, to retain that which is close into the harbour for harbour purposes?—Yes.

7139. You think you could not allow vessels to dock without orders if that was not the case?—No.

7140. And vessels would be obliged to lie under the Mumbles, which is an unsafe roadstead?—Yes; we could not think of docking a ship till we had a pilot on board; we have to depend entirely upon ropes and the bower anchor of the ship to bring her up; if we failed docking the ship with a gale of wind at south east, she might remain in the Mumbles roads a week or 10 days.

7141. The difference between the question as to whether a man may be allowed to risk himself with his vessel in the open sea and your harbour, is, that a single rash act of a man in your harbour would stop the whole trade?—That is it.

7142. *Chairman.*] But you state that vessels which are not bound now to carry pilots, do carry them when the weather is severe?—In bad weather wind-bound ships take them.

7143. Does that lead you to believe that all the vessels you speak of would take pilots whenever the necessities of the case warranted it; if there are dangers to that vessel, does not the same argument hold good, that that vessel would find itself compelled to carry a pilot?—They would not take pilots in fine weather.

7144. Would not the principal loss fall upon the master of the vessel?—Not only the vessel itself, but it would fall upon other vessels as well; outward-bound ships would be equal sufferers.

7145. In the other case, you represent that the principal loss would fall upon the vessel itself?—She might be a vessel that would lie aground.

7146. Mr. *Cave.*] In the case of a small vessel there would be no loss, but there would be detention to the larger vessels?—Yes.

Captain *J. Rosser.*

13 May 1870.

7147. *Chairman.*] The smaller vessels are not bound to carry pilots, are they?—They are light, and do not draw more than seven or eight feet of water; such a ship would not obstruct the Channel.

7148. If she is deep in the water, in all probability she is valuable also?—Yes, she would have a cargo in her.

7149. Then it is the interest of the owner to take a pilot in order to avoid the danger you speak of?—In bad weather they would take a pilot, but in fine weather they would not.

7150. Mr. *Cave.*] In fine weather nine out of ten would do so, but the other one would not?—It is the case in the whole of the Bristol Channel, and everywhere else, that they try in fine weather to shirk the pilots, and in bad weather they take them.

7151. Mr. *Price.*] The great complaint made formerly by the shipowners, when pilotage was compulsory, was, that they had a difficulty in getting pilots in bad weather?—That would always be the case.

7152. Then compulsory pilotage does not seem of itself to be sufficient to secure an efficient supply of pilots in bad weather?—It is impossible for some boats to keep the sea in gales of wind. They could not keep the sea in bad weather on the east coast of England.

7153. You said you thought we should have a much better system if the small local jurisdictions were suppressed, and if there was one general jurisdiction for the Channel?—Yes.

7154. Have you heard that what Gloucester always asked for was that there might be one jurisdiction under the superintendence of the Board of Trade or of the Trinity House at that time?—I do not know that.

Mr. Thomas Ford, called in; and Examined.

7155. Mr. *Cave.*] I believe you are a shipowner and merchant at Swansea?—I am.

7156. Have you ever commanded a vessel?—Yes; I commanded the largest vessels to the port of Swansea for about 14 years.

7157. And you know the Channel well?—I know the Bristol Channel as far as Swansea well.

7158. Are you also a harbour trustee?—Yes.

7159. And therefore you know the port of Swansea well, and the management of the pilots?—Yes, I know the port of Swansea well.

7160. Have you ever heard any complaints about the Swansea pilots?—The only complaint I have ever heard has been from the masters of our vessels, complaining that the pilots do not go far enough. It has been very exceptional.

7161. Have you heard the reason that they do not go down further?—Their limits are not extended to Lundy.

7162. Therefore they cannot charge beyond their own limit?—No; the difficulty that the Swansea pilot boats are under is, that there is no shelter between Lundy and the Mumbles for pilot boats to lie in in bad weather. They must either lie at Lundy or the Mumbles. There is no shelter at Helwick, which is our limit, in very bad weather.

7163. When they take a vessel from Lundy, do they ever make a bargain from Lundy to their own limits, or do they charge the same?—They charge the same as if they had boarded them within their own limits.

Mr. *T. Ford.*

7164. What is the feeling in Swansea with reference to the present system?—We think that it works satisfactorily.

7165. Do you agree with the last witness about the danger that there might be in the case of vessels coming in without pilots?—Yes, that is what the shipowners feel in Swansea.

7166. Swansea is a very peculiar harbour, is it not?—Yes; it is what is termed a blind harbour. You cannot see the harbour until you are round the pier head, and if you found any obstruction in the way it would be too late to remedy it.

7167. It is a sort of Balaclava?—Yes; you cannot see the harbour till you are round the pier head and within a few hundred yards of the entrance to the dock.

7168. Mr. *Gourley.*] Is not the assistance of the steam-tug the best safeguard?—Yes.

7169. Mr. *Cave.*] If a vessel with a steam-tug was rounding into the harbour, unless the system of signals was complete, it might meet with an unexpected obstruction?—Yes.

7170. You lay great stress upon your system,

Mr. *T. Ford.*

13 May 1870.

on account of the pilots being accustomed to be signalled from the shore, and to signal to each other from the ships?—Yes; if a tug was towing a vessel in the harbour without a pilot, the tug belonging to the port may know the entrance, and know that the docks are clear, but the master of the tug would find a difficulty in not knowing whether any temporary obstruction had come in the way between the time he went out and the time he came in.

7171. In the case of a vessel going to sea, even in fine weather, without a tug and without a pilot, the signals might be misunderstood, or be altogether unknown?—Yes.

7172. Therefore what you require is very strict discipline?—Yes.

7173. Do you think that that discipline could be kept up under the voluntary system?—We fear not. We believe that under the voluntary system most ships would take pilots, but there are a lot of men who, either on the score of economy or carelessness, would not take them, and one careless man getting aground in the entrance would stop the whole trade of the port.

7174. You think, with reference to comparatively open sea, it might be left to the master of the ship to judge for himself whether he would run the risk or not?—Yes.

7175. But with reference to a channel like that into the harbour of Swansea, you could not allow that risk to be run, because it implies risk to a great many other vessels?—Yes; that is our principal reason. We do not care, as shipowners or as harbour trustees, so much about the compulsory Channel pilotage; all we want is to protect our harbour.

7176. If out of 100 vessels under the voluntary system, 99 took pilots, where it is necessary, which they probably would do, the 100th might get aground in your harbour, and cause indefinite delay and obstruction?—Yes, and prevent the others entering the harbour at all, or perhaps do an immense amount of damage. The peculiar situation of Swansea is, that it is the outside coal port of the Bristol Channel, and vessels coming into the Bristol Channel frequently come in there. They do not care which coal port they go to, but they are guided, to some extent, by the wind. A wind blowing to the south-east drives them into Swansea; and we have a great influx of ships in those tides, and we allow them to run in any time of the tide, knowing that there will be a pilot on board; but if a rush came in and one or two were without pilots they would block the whole inward traffic of the port.

7177. You find your present system working satisfactory, therefore you fear a change?—As shipowners we do not complain of it.

7178. I will ask you with regard to the non-liability of shipowners for damage done in pilotage waters; what is your opinion as to the duty of a pilot; ought he to supersede the master?—Decidedly not; I was the master of a ship for 14 years, and I never allowed a pilot to supersede me.

7179. You think that a pilot's duty ought not to be to assist in the navigation of the ship, but to point out the way?—Yes; I consider that a pilot is in the same capacity as a chief officer, he is very often left in sole charge of the vessel, but the master is responsible for the acts of his chief officer, and so he should be with regard to the pilot to a certain extent.

7180. Under those circumstances, you think that the shipowner ought to be liable in the case of an accident that happens through the fault of the pilot?—I think so.

7181. How do you get over the difficulty about his being answerable for the acts of a man whom he is compelled to take?—I account for it in this way, the owner is answerable for the acts of the master, and he is answerable for the acts of his chief officer; he is compelled by law to take a properly-certificated chief officer, and that does not liberate him from his liability.

7182. In that case the shipowner has a wide field to choose from, but in the case of a pilot he has to take the first who comes?—But the pilot has passed an examination; I consider that the shipowner places the master there to protect his property, and he picks out the best officer who will take charge of the property; by the same law he picks out a pilot who is thought properly qualified to navigate the vessel into a certain port. Besides, it is an insurable risk, just as much as any damage that may accrue to his own vessel.

7183. You see no difference in principle between his being liable for an accident caused by his master or chief officer, and his being liable for an accident caused by the pilot?—No.

7184. Would not it to some extent affect the pilots in this way, that it would make them more careless than they are now?—No, I do not see why it should. A pilot will always be liable to have his license taken away, and he may lose his bread. There are very few pilots, in the case of a ship doing damage to another, who is able to pay for that damage. They are liable to lose their license; that is the only punishment you can give them.

7185. The present law is that in pilotage waters, if a vessel is run down by another in charge of a pilot, it can only come upon the pilot for the damage?—Yes.

7186. And in many cases the pilot has nothing to pay?—In most cases.

7187. Do you think there is more injustice in that, than in obliging the master of the vessel to be liable for the incapacity of the pilot, who can only to some extent be called his servant?—I think so.

7188. The maxim of the law, is that no man is liable for the acts of another, unless that other can be called his servant?—He is for the time being the servant of the shipowner.

7189. It is stated that he is not his servant, because he is somebody whom the law puts on board the vessel, and in the choice of whom the master of the vessel has no voice?—I think it should be altered; I think the pilot should be considered as the assistant of the master, and not to supersede his authority.

7190. Even though you admit that, to some extent the pilot is not the servant of the master, because the master cannot choose him?—No, he cannot choose him, but he can select his chief officer, as I have said before, from a certain number.

7191. You think it is only a difference in degree, but not in principle?—I think so; the pilot has to pass an examination, and he is passed as a competent person before he can be trusted with a ship.

7192. Are you aware what the law is in other countries upon this point; do you know that in other countries the law does fix that liability upon

upon the shipowner?—No, I am not aware of that.

7193. You, speaking as a shipowner, would be quite willing to assume that responsibility for the acts of the pilots?—Yes.

7194. Is that the general feeling of the shipowners at Swansea?—Yes. If I had a ship of my own run down by another one, it would be very hard to refer me to a man who has nothing to pay me: the owner, who has done the wrong against me, can insure against the risks.

7195. It has been stated that the practice of a master being superseded by a pilot is more likely to lead to accident, than if the master is left in command of the ship?—Yes, I think so; if the pilot knows the depth of the channel, and all those things, he should consult with the master; but he is not as capable of taking the command of the ship as the master, who knows all the crew, and who knows the capabilities of his vessel far better than any pilot can do.

7196. *Chairman.*] I understand you to say that you are not generally in favour of compulsory pilotage; you do not think that it is necessary in all cases?—No.

7197. And certainly not in ports which are upon the open sea?—No, I do not think it is.

7198. All Swansea vessels are bound to take pilots at Helwick?—Yes.

7199. In your opinion, is it necessary to take a pilot there, or not until they come immediately in front of the town?—I should not require a pilot for myself in fine weather, although in bad weather I should be glad to take one.

7200. Is it necessary that they should be compelled to take pilots so far out as that?—No.

7201. Then you confine your observations with regard to compulsory pilotage merely to the entrance to the port itself?—Yes.

7202. In fact, to the docking of vessels; does not it come to that?—Not quite to the docking of vessels, because we have no harbour; the minute we get inside the pier head, we have no place but the dock.

7203. It is just at the entrance of the harbour until they get into the dock?—Yes.

7204. Then there it is a very small operation?—The Mumbles Head, which is a projection, being only 3½ miles from us, would be better cruising ground for the pilots; they would intercept all vessels coming into the harbour.

7205. You think compulsory pilotage should be only enforced upon vessels after they pass the Mumbles Head till they get into the dock?—Yes.

7206. And not to extend as far as it now does, to Helwick?—No; I do not think it is necessary.

7207. You think it is only an exceptional case on the part of Swansea, for docking the vessels?—Yes.

7208. There is no other place where they can lie, but they are to come at once into the dock?—Yes; what we feel is, if voluntary pilotage were established, as far as Swansea is concerned, we should be obliged to make the vessels lie out in the Mumbles Roads till they should have permission to enter; now they come right in from the sea; some of the vessels come in with valuable cargoes, and the pilots know that they can bring them right in.

7209. You are afraid that the dock authorities would compel the vessels to lie out till they had permission to come in?—Yes, the same as they do in Cardiff; but at Cardiff they have a safe roadstead to lie in, and we have not.

7210. Do not you think that would be a great inducement to vessels to take pilots inwards?—Yes; but we doubt whether they would get them.

7211. Why would not they get them?—In fine weather we think that vessels, not being compelled to take pilots, would with the assistance of tugs, go into Swansea harbour; it would not be necessary to have a pilot belonging to the port. In winter time, everybody would require them, and it would be impossible for them to come in.

7212. It is therefore for the supply of pilots, and not for the safety of vessels, that you require it; I believe a large number of small vessels are not bound to take pilots?—They are not bound to take pilots up to 50 tons if they have cargo on board, and under 100 tons with ballast on board; the difference with the light vessels would be this: our harbour is a perfect mud-bank, with the exception of the narrow channel going up, and that a small vessel would have water enough to go over the mud-bank without doing itself any injury or impeding the traffic of the harbour.

7213. Do you agree with the last witness, that most of these vessels do take pilots now in severe weather?—Yes.

7214. And would not it be also the case with the larger vessels?—The large vessels would always take pilots, but we fear that they would not be able to get them.

7215. You have already told us that the smaller class of vessels that are not bound to take pilots, take them in bad weather; I presume, therefore, that if the Bill passes, even the smaller vessels, which are bound to take pilots, will take pilots in bad weather, so that the exceptional cases will be few?—We have a regular class of vessels trading to our port, which are very different to those trading to Newport, Cardiff, or Gloucester. Newport, Cardiff, or Gloucester have not many large shipowners. We are a large shipowning community. We have our own ships trading to the port, and our own ships will probably take pilots; but we believe that if the pilots went out in fine weather and were not taken, they would not go out in bad weather; they would not go out, and the supply would be diminished.

7216. Your own vessels would always take pilots?—Yes, as a rule.

7217. Is that on account of the difficulties of getting into dock?—Yes.

7218. You think that vessels that do not know the harbour are not so likely to take pilots?—They would not know the difficulties.

7219. Do you think that the fact of not knowing the difficulties would be a great inducement to take pilots?—From the state of competition, men are willing to run a great risk to save a few pounds.

7220. Would not the effect of competition be as great upon vessels knowing the harbour and belonging to the harbour as upon others?—Yes.

7221. If, therefore, vessels belonging to the port, and knowing the difficulties of the port, and having some knowledge of the navigation, are likely to take pilots, is it not more certain that vessels that do not know the port, and know nothing about the navigation of the port, and do not know the difficulties, will also take pilots?—I think

Mr. *T. Ford.*

13 May 1870.

I think they would not take them in fine weather, feeling that they could come in without them.

7222. In your opinion, are not vessels that do not know the port more likely, in the long run, to take pilots than those that do?—I think they would.

7223. What then is the fear of the occupation of the pilots falling off?—There may be an obstruction inside our harbour which would not be known; if the harbour were clear, and a vessel could get in with safety, it would be a different matter, but there may be a vessel coming in from sea, and we may not know of some temporary obstruction in the harbour.

7224. Is not that one of the inducements to take a pilot, that a vessel outside approaching the port for the first time does not know what difficulties there may be in the way of getting into the dock?—I speak of vessels that may have been there before.

7225. And you tell us that vessels that may have been there before, that belong to the port, would take pilots?—Yes, to keep the number of pilots up, that they may have them when they want them.

7226. Not because they want them at a particular time?—All heavy ships belonging to the port bring up in the roads; unless they come up exactly at the time of high water, they must lie till the next tide; there are only three hours in a tide; unless they hit the three hours they must bring up in the Mumbles Roads before they come in. If a tug went out it would apprise them whether there was any danger inside or not; and though there may not be an actual necessity in fine weather to take pilots, yet to keep up the number they would take them.

7227. Is there a considerable number of foreign vessels that come to Swansea?—Yes.

7228. Do not you think that foreign vessels would take pilots as a matter of course?—The careful ones would, but the reckless ones would not.

7229. Is it true that the masters of foreign vessels are as careful as our own masters?—It depends upon what nation they are. I think the Norwegians and Danes are very careful men; they sometimes run a very considerable risk to save a few pounds; they sail their ships very close.

7230. If the masters belonging to Swansea are not likely to run risks why should the masters of foreign vessels run risks?—Our masters are trading backwards and forwards to the port, and they are more anxious to have the pilots kept up than the foreigners, who only come there for a voyage; and to encourage the pilots we should take them in fine weather, though we may not think it necessary.

7231. Mr. *Price.*] I gather from your answer to one of the honourable Members that the only risk you run in having a system of voluntary pilotage is, that you may not get a pilot when you want him?—Yes, or that a master who ought to take a pilot would not take one.

7232. You know the navigation of the upper part of the Channel, do you not?—I know something about it, but I do not pretend to understand the navigation of any port but Swansea.

7233. You know, generally, that the navigation of the upper part of the Channel between Kingroad and Gloucester is of a dangerous character?—Yes, I have had a ship there.

7234. And you generally take a pilot, do not you?—Yes, generally.

7235. Have you ever had any difficulty in getting one?—No, you have to bring up in Kingroad before you can get one; in going to Gloucester a vessel has to bring up in Kingroad; I have known one of my vessels to be half a day in Kingroad waiting for a pilot.

7236. It is perfectly safe anchorage, is it not?—Yes; in Swansea we have not safe anchorage the same as they have at Cardiff, Newport, Gloucester, or Bristol.

7237. Do you think that it happens frequently that vessels have to lie in Kingroad, waiting for a pilot?—I only know of one instance of my own.

7238. Was that long ago?—Last year.

7239. You never had any previous to that?—I never had a vessel there before.

7240. Have you ever heard any complaints that, since the pilotage of that part of the Channel has been free, there has been any difficulty in getting pilots?—No.

7241. Are you aware of the state of the law, that a ship having a pilot on board in compulsory waters is not responsible for any damage that may be done by it?—Yes, I consider it a bad law.

7242. But where pilotage is voluntary, then the ship would be liable?—I consider it a distinction without a difference.

7243. Supposing a Gloucester ship and a Swansea ship came into collision within the jurisdiction of the Swansea pilotage, the pilotage being compulsory, as far as the Swansea ship was concerned, and voluntary, as far as the Gloucester ship was concerned; is it not the fact that the Gloucester ship would be liable, although she had a pilot on board, because it was not compulsory, whereas the Swansea ship would not be liable because in her case the pilotage was compulsory?—It is a bad state of the law.

7244. Is it not more; is it not an anomalous condition of the law?—Yes.

7245. And do not you think that for that case alone it is desirable that pilotage should be altogether free, or altogether compulsory, or altogether non-compulsory in the Channel?—I am giving my own individual opinion; with a proper competent pilot on board, I do not see what difference it should make whether there was voluntary or compulsory pilotage.

7246. That being the state of the law, whether wisely or not, would it not be better that the whole system of Channel pilotage should be the same?—No; as I said to one of the honourable Members, I think in some places voluntary pilotage would suit, and in other places it does not suit; I speak of course only from my knowledge of Swansea, and there we are so peculiarly situated with our harbour, that unless every ship of a certain size or a certain depth takes a pilot, he would be endangering the trade of our port and do a great deal of damage.

7247. If you could be sure of having compulsory pilots at the Mumbles at all times, you would have no objection to pilotage being non-compulsory?—No, if the ships took them.

7248. It is no matter to you whether they take them or not, so long as the pilot is there; I understand your difficulty is, that they might not be there if pilotage were not compulsory?—I think so, because pilots would be less used; many

many ships that are compelled to take pilots now would not take them then.

7249. Do you think it would be much better for the Channel if there were one pilotage authority for the whole Channel?—No; I think every port has its own peculiarity, and is the best judge of its own requirements.

7250. Did you know of the inquiry before Admiral Beechy at Bristol about the pilotage of the Channel?—I was sailing from Swansea at the time.

7251. You were not present there?—No.

7252. You do not know that the upper part of the Channel at that time were very anxious that the whole of the pilotage jurisdiction should be under the Board of Trade?—No, I am not aware of that; I understood that Swansea, Gloucester, Cardiff, and Newport, objected to having their ships compulsorily boarded by the Pill or Bristol pilots; that is what they fought against. I have been obliged in former years, before the law was altered, to take a Pill pilot, provided he offered. We thought it a hardship, because our own boats came down within the limits where we thought we required them. The boats came down as far as the Helwick and the Nash, which was quite as far as we required them.

Tuesday, 17th May 1870.

MEMBERS PRESENT:

Colonel Bourne.	Mr. Shaw Lefevre.
Mr. Thomas Brassey.	Mr. Phillip Wykeham Martin.
Mr. Cave.	Mr. Norwood.
Mr. Gourley.	Mr. Pemberton.
Mr. Graves.	Sir Henry Selwin-Ibbetson.
Mr. Grieve.	Mr. Charles Turner.
Mr. John Stewrt Hardy.	Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. John B. Millen, called in; and Examined.

Mr. *J. B. Millen.*

17 May 1870.

7253. Mr. *Brassey.*] How long have you been in the Trinity service as a pilot?—I have been in the service of the pilots 19 years.

7254. How were you employed before you entered the service of the Trinity House?—I was sailing in ships going foreign to all parts of the world; I was in T. W. Smith's employ; I left in 1847; I was second officer of his ship then.

7255. Is it true that a Trinity House pilot is required to be 12 months master, or three years mate of a square-rigged vessel of 150 tons burden, and that he is also obliged to pass an examination so as to qualify before he enters the service?—Yes.

7256. Having entered the service, he has to pilot vessels of a small draught of water for three years, has he not?—Yes

7257. And then he has to undergo a second examination for all draught vessels?—Yes.

7258. Before you entered the Trinity service, your rank in the merchant navy was that of a second mate?—Yes, up to 1847.

7259. I suppose these rules which have since been introduced did not exist at that time?—No.

7260. What is the average income of a first-class pilot?—Taking the average income of 64 working men, as seen by myself, the gross earnings amount to 340*l.* per annum.

7261. Their position is fully equal to that of the average masters in the merchant service?—Equally so.

7262. And unless their prospects are as good as that of a master in the merchant service, men who otherwise would have been filling the important duty of master in the merchant service, of course would not enter the service of the Trinity House as pilots?—They would not give up the probability of their becoming masters of ships, and obtaining a good position in life.

7263. While you are in the charge of these large ships, piloting them from the Ness to London, you have the responsibility and you require to have all the knowledge which a first-class master in the merchant service ought to possess?—Equally so.

7264. And probably the navigation from the Ness to Gravesend involves more difficulty in the handling of a vessel than in an equal period of time in the open sea?—In the open sea there is plenty of room, and if a ship mis-stay, there is no particular harm likely to occur. They can put the helm up and wear the vessel round.

7265. Though the vessel is always in charge of a pilot, the difficulties are very great, and they require special knowledge and aptitude in handling ships?—Yes, because many masters of ships, though able to work their ships in wide water, might possibly in narrow waters work the ship too narrow, and cause it to miss stays, and before the ship could have way gathered on her, she might go ashore.

7266. It is because there are these difficulties to be encountered, that the Trinity House have used a particular care in selecting the best men to the pilotage service?—That is the reason.

7267. With reference to cruising stations, what are the limits of the cruising stations for cutters?—We do not go below Dungeness in an easterly wind; we cruise in the west bay.

7268. How many vessels are employed in this service?—Four.

7269. I believe that three of them are continually at sea?—Three of them are continually at sea, and one in the harbour generally refitting to take her turn once in three months, as the others go in.

7270. Do you encounter great risks in boarding ships?—Very often.

7271. As far as you are acquainted with the officers of the merchant service, do you believe that if the compulsory pilotage system were abolished, it would be possible to have the same efficient staff of pilots, and to obtain the same number of recruits from the merchant service as are willing to enter now?—I do not believe that you would find men to come forward to enter the service at all.

7272. Do you think that if a deterioration were to occur in the class of men who enter the service of the Trinity House as pilots, that any great additional risk of life would be incurred?—I think so, because we now see vessels very often try to escape pilotage. There are imprudent men in all grades of society, and, of course, there are many men who, for the sake of getting in their owners' favour, near men, would save a five-pound

five-pound note, and run the risk, and life might be lost through it.

7273. Do you think that if the compulsory pilotage system were abolished that there would be any serious falling off in the employment of pilots in fine weather?—I believe we should lose half of our present income.

7274. Do you think the extended use of steam-tugs for towing vessels would interfere with your calling, if the compulsory pilotage system were abolished?—I think so, very materially; we have had one or two instances of it, even as it is now.

7275. With reference to the existing number of pilots, I suppose there are frequent occasions when the wind is long prevalent from the eastward, and suddenly chops round to the westward, when large fleets come up the Channel, and every man in the service is required; does that often occur?—Very often; we are obliged to send to the Trinity House, to send some of the London pilots down, to assist us with heavy fleets.

7276. It has been proposed, has it not, to preserve to the pilots their present average income by superannuating a certain number, if, after an interval of two years, it is found that the income falls off?—That is a provision of the Bill which would be unsatisfactory to the present body of pilots.

7277. Supposing the number were reduced, with the view of preserving the same average income for the men remaining in the service, would not great inconvenience sometimes arise to the merchant shipping under the circumstances which are indicated in my last question?—Just so. We should not find pilots enough to man the fleets, and they would fall into the hands of men who would make a very great harvest out of them.

7278. What does it cost to maintain the present fleet of cutters?—£. 1,200 each vessel, per annum.

7279. Have the pilots any control over the command of those vessels?—None whatever.

7280. What does the crew of the vessels consist of?—The master, mate, and five hands.

7281. Do you believe that the present system of cruising could be maintained if you were to abandon the compulsory system?—I think not. I do not see which way the cutters could be kept up.

7282. If the cutters were not found on their stations in bad weather, would not it result in great danger to the shipping?—Very materially so.

7283. And to the loss of life and property?—Yes. Ships running into the mouth of narrow waters would find no one there to take charge of them. They might find themselves upon the Goodwin Sands, and we know what the circumstances would be then.

7284. If pilots who have been for some years in the service are superannuated, they would find great difficulty, would they not, in returning to their former employment?—Yes, the men who had been some years in the service would find it impossible to renew their former connections or enter into them in any way.

7285. Is it the case that many of the pilots have made future provision for their families by way of yearly contributions to various societies, and the purchase of annuities, and so on?—Many of them contribute large sums.

7286. And in many cases by insurance of life, and so on?—Yes.

7287. It would be difficult, would it not, to keep up the payments if the income were seriously reduced for so long a period as two years?—If our income is reduced we should not be able to maintain those contributions to the societies, and we would forfeit the policies of insurance and the annuities that we might have in prospective.

7288. And therefore you think that it would involve a cruel hardship to the pilots if they should have to await the result of this experiment, in pilotage, for a period of two years?—Yes; I think it would be very hard upon them and their families.

7289. Mr. *Grieve.*] Then if pilotage was likely to fall off by the discontinuing of compulsory pilotage, there would not be any difference in compulsory or non-compulsory pilotage by the employment of pilots?—I presume not. We know it would be so in fine weather. Masters of vessels in fine weather would take a tug down below the Ness, and by getting hold of a tug they would be towed past the station, and would not stop to take pilots.

7290. In light summer weather, with light winds, they would still take a tug, whether you had a pilot or not, would they not?—In the summer weather they very often take the tugs below Dungeness before they come up to the pilot stations. We have known them in the night time to tow ships right away; we have complained of it in several cases.

7291. Mr. *Cave.*] What are the tonnage of your vessels?—Sixty tons register. I think it is about that.

7292. A large number of vessels that pass Dungeness now are not obliged to take pilots, are they?—A very great many of the coasting vessels and vessels exempt by the previous measures that were introduced, with regard to masters and mates, are not bound to do so.

7293. Do you find that many of the vessels that are exempt still take pilots in bad weather?—Sometimes; not many of them.

7294. Do you know whether any accidents happen between Dungeness and the mouth of the Thames?—I know that a very great many occur.

7295. Do you know whether there are more accidents with vessels that have pilots than there are with those that have not?—I should say where there is one vessel lost with a pilot, there are 10, or even more than that, lost without pilots.

7296. Do you speak from mere guesswork?—No; I can speak from facts; Lloyd's returns will give it; we had five vessels wrecked on Deal beach last February, and if there had been a pilot on board each of the vessels they would not have been there.

7297. What were they?—One was a fine ship of 1,200 tons; an iron ship; she got off, but the other four went to pieces.

7298. How did they get on Deal beach?—They kept driving in upon the beach; the wind was blowing hard from the eastward, and when it was too late to slip their anchor those vessels had nothing but the beach before them; they could not have cleared the South Foreland.

7299. You think if there had been a pilot they would have slipped their cable sooner?—Long before, because a pilot has some little weight when he is on board a ship; the master will take his advice in most cases, and the pilot would advise slipping the ship and running for Dungeness or Sandgate Road long before.

Mr. *J. B. Millen.*
17 May 1870.

7300. If a pilot is on board, the master is obliged to take his advice: he is under his command, is he not?—He would not like to decline doing so.

7301. Is it not the case that it is considered when a pilot is on board the master has no longer any responsibility?—Just so.

7302. Do you think that a good plan?—I do, because I am satisfied that no two heads can have one command.

7303. Do you think that the pilot knows the capabilities of a vessel as well as the master?—Yes; a man does not require to be on board a ship half an hour before he knows the ship's capabilities; the master would say to the pilot, "Pilot, she is rather hard in her weather helm;" that is sufficient precaution; the pilot would ask the captain, "Is the ship quick in stays;" if he said yes, the pilot would not take his word, but the first time he tacked the ship he would tack her short of the sands, that he might have sufficient proof of the ship's capabilities.

7304. You do not agree with the witnesses who say that it is safer for the vessel that the master should keep the control of the ship, and that the pilot should only be his guide?—No. If that law was passed, I am satisfied that it would never be abided by.

7305. If the law was passed which exempted the pilot from responsibility, and fixed it upon the shipowner, do not you think that in that case that the master would retain the command?—No, I do not. It is impossible for two men to have the charge of the ship in these narrow waters, and there is not time for consultation.

7306. You think that the orders ought to go at once from the pilot to the man at the helm?—Yes.

7307. I do not understand your objection to the compensation scheme under the Bill?—It proposes to compensate one part of the body by making use of the other, as far as I can understand it, which I think is very unjust to the younger portion of the fellowship.

7308. Is there not under the clauses of the Bill an actual payment proposed from the Treasury?—I do not see much in that. I think if the Government of the day are of opinion that we shall not lose anything by the change, we only ask them to guarantee our income. I was in an agent's office the other day and met two shipowners; one of them said, he thought the passing of the Bill would be a great thing for him, for he would save 400 *l.* a year by it; and the other said, he should save 800 *l.* a year. Those are two instances of what we should lose by the change.

7309. If the Government guaranteed your present earnings, perhaps you would not take so much trouble to earn it?—Yes, we should.

7310. You do not agree with the system of superannuating the older members, and reducing the number till the present earnings were preserved?—No, I do not.

7311. Sir *C. Wingfield.*] I believe your business liès entirely in the south channel?—Yes.

7312. You say if pilotage were voluntary, few vessels would take pilots, and the supply of pilots would fall off?—Yes.

7313. Are you aware that in the north channel all vessels engaged in British or foreign trade are exempt from compulsory pilotage, but that they all do take pilots?—I am not aware of that. There is a clause in the policies of insurance compelling all foreign ships to take pilots in pilotage waters.

7314. *Chairman.*] What proportion of vessels which you get employment from in the south channel are foreign vessels?—I suppose about, perhaps, one-third.

7315. Is it not more than that; is it not rarely half?—I do not think so.

7316. Mr. *Cave.*] When you talk of these policies of insurance, do you mean policies of insurance taken out in England upon foreign vessels?—No; I speak of the underwriters abroad, on the Continent.

7317. You mean foreign policies of insurance?—Yes.

7318. *Chairman.*] Then the result is that all the foreign vessels that come to the Thames by the north channel, practically do take pilots?—They do?—I suppose there are other vessels occasionally that take pilots.

7319. Are there other vessels that take pilots, English vessels, for instance?—I am not acquainted with it.

7320. Have you never made any inquiry about the pilotage in the north channel?—I have not. I am satisfied that the foreign ships do take pilots.

7321. Are you aware that those 60 pilots stationed off the north channel, make much the same incomes as you do?—I do not know that.

7322. I believe the difference is merely this, that the 60 pilots in the north channel make 274 *l.* a year, whereas your pilots make about 310 *l.* a year, that is the average of your pilots from Dungeness?—I suppose they have taken the island pilots into it; there are six pilots there, and I do not suppose they reach more than 100 *l.* a year.

7323. Is not the average of your income about 310 *l.* a year?—The average of my own income has been 330 *l.* for the last five years.

7324. That is a little above the others?—No; some of them are above that; the average of 62 men's earnings amount to 340 *l.* per annum.

7325. We have had it from the Trinity House that the average earnings of the 128 pilots employed from Dungeness to Gravesend is 310 *l.* a year?—That is taking in the island pilots who have nothing to do with the pilotage from Dungeness.

1326. You say, excepting those pilots, your average is rather higher than that?—Yes, it is rather higher.

7327. Are you aware that the pilots in the north channel make an average of 274 *l.* a year?—I am not aware of that.

7328. I suppose I may take it as a fact that the vessels that come to the north channel are the smaller class of vessels, the larger vessels come by the south channel?—Some of them are.

7329. The great bulk of them are small vessels compared with those that come to the south channel?—Good-sized vessels come from the Baltic.

7330. Is not the average size of the vessels coming by the north channel very much less than the average size of the vessels coming by the south channel?—Yes; but there are many large ships in the Baltic trade; the timber ships draw 18, 19, and 20 feet of water.

7331. There are no vessels like the Indian and Baltic vessels, are there?—No.

7332. In your opinion, is it probable that vessels

sels that come from the East Indies and Australia will pass up by the south channel without taking pilots?—I think many of them will; it is a matter of £. *s. d.*, that is my opinion.

7333. You do not agree with Sir Frederick Arrow, who stated that in his opinion the great bulk of the vessels would take pilots?—Sir Frederick Arrow is not aware of the difficulty we have in getting aboard ships. I have gone aboard a fine ship from Calcutta, the mate of the ship has denied her port, but I have insisted upon boarding the ship, and I asked for the master; the master was in the cabin, and he has had a waterman aboard.

7334. That was a case where they had a waterman on board?—Yes; they would have gone away with the waterman to shirk the pilotage from the Ness.

7335. Then the supposition is that the waterman was properly qualified, though not a licensed man, but that he was quite able to navigate the vessel?—He thought that he was going to save a few pounds by it.

7336. Is it not the fact that a large number of people along the coast are able to pilot vessels who are not licensed?—I was not aware of that.

7337. Is it not the fact, take the Deal boatmen, are they not as able to pilot vessels through the Downs as you are?—I should think you must know better than that, sir.

7338. Are not the Deal boatmen quite as valuable to pilot a vessel, though they are not licensed men, as you are?—No; these men go aboard the ship, and there have no responsibility or risk, and it does not matter to them if the ship goes ashore and is lost.

7339. The Deal boatmen are largely employed, are they not?—Some of them are employed, but not largely.

7340. What you wish to do is to supersede them whenever you can?—Yes, whenever we can; but we lie in very wide waters, and we are not able to go off to a ship and see whether she has a licensed or unlicensed pilot on board.

7341. You find considerable difficulty in superseding these men, do you not?—We do.

7342. There are numerous cases in which you have tried to supersede them?—If we get a clear case there is no difficulty; we know that there are men who go away with ships, and of course we have not found it out till afterwards, and we have punished the captain of the ship for it when we have found it out.

7343. That makes one of the difficulties of your position the necessity of superseding these men?—There is a great difficulty attached to it.

7344. Does not it also show that there is a considerable employment of men who are not licensed?—No, there is not a considerable employment of these men because there are not many of them. There are a great many watermen, but there are not many men capable of finding their way up the river or running ships through the Gulf stream.

7345. You have told the Committee that, in your opinion, the compensation clauses are unsatisfactory; what do you, on the part of the pilots of Dungeness, think ought to be inserted?—I think if the Government are so sanguine that we shall not lose anything by the change, we do not ask them for anything but a guarantee that our income shall be kept up.

7346. You think that you ought to be guaranteed your income for the rest of your lives?—Yes.

7347. What security would there be that you would perform your work?—The men would be compelled to go to sea as they are now, and they would soon give a proof that they have been at sea by the ships that they had piloted up in that time, and if the men are really taken ill, a doctor can easily judge whether a man is ill or not; that is a matter with which the sick funds and the sick clubs are obliged to deal now. I think any little difficulty attached to that might soon be got over.

7348. The present Bill is framed on the supposition that your incomes will not be reduced; is not that so?—Yes.

7349. Supposing, after a certain time, I will not say two years, but after one year or six months, a certain number of you are reduced, and taken off the service, and the number of those remaining is considerably smaller, may it not be that that number which remains would make the same incomes as those in the service before?—And will the Government carry that out to the last man in the present body.

7350. I want your opinion?—I think that the present body should have the right to be cared for. We have had the right to pilot ships inwards, time out of mind. We have thrown away our position in life, and entered the service believing that it should be kept the same during the whole of our lives, so long as we conduct ourselves in a proper manner; and I think, now, that our present income should be guaranteed to us.

7351. There is nothing to prevent the Trinity House licensing any additional number of pilots they think fit, under the law as it now stands, is there?—Yes, I think there is, with reference to the Cinque Ports.

7352. Why are you of that opinion?—When the Cinque Ports were amalgamated with the Trinity House, in 1854, it was promised that there should be no increase; and Mr. Cardwell stated, himself, that the body should be as well cared for as it ever had been.

7353. Was that stated in writing?—It was stated in the speeches that were made at the various meetings that took place.

7354. There is no security in any Act of Parliament to that effect, is there?—I do not know that there is; but there is nothing in the Act of Parliament that says that they shall increase the number either.

7355. Is there anything in the Act of Parliament compelling the Trinity House to license only a certain number of pilots, or restricting their rights to license pilots?—There is not.

7356. Is it competent for the Trinity House to license any number that they think fit?—I do not think that they have got that power.

7357. It is in that way, is it not, that you consider that you have got the right to be guaranteed your present income?—It is. I entered the service under the idea that so long as I conducted myself in a fit and proper manner in throwing up all my former connections, and entering the service, I had the right to expect that a certain income should be maintained to me during my life.

7358. Are you here on the part of the Dungeness men generally?—I am.

7359. Have you been watching the proceedings of this Committee?—I have.

7360. Have you been asking the shipowners

Mr. *J. B. Millen.*

17 May 1870.

to come here and give evidence, or not?—We have; and there are many of the shipowners who agree with the present system.

7361. Is there any shipowner from London of any importance coming here to give evidence for you?—No; they do not care about entering into it.

7362. Have you also applied to the underwriters of Lloyd's?—There are some of them coming.

7363. Who is coming?—Mr. Tozer is one, and Charles Windsor is another.

7364. Have you also applied to the members of the Trinity House to come here?—Yes; and we have letters here all favourable to the present system; but they do not want to come into the witness-box to be cross-examined by so many gentlemen.

7365. At all events, nobody is coming here?—I do not know whether Captain Drew will be here or not.

7366. Sir *C. Wingfield.*] You say sometimes that you cannot find out that the ships have taken a waterman pilot until after they have gone up?—No.

7367. And when you find it out, you get the captain punished?—Yes.

7368. But unless he refuses to take your services in superseding the watermen after you have offered, then he cannot be punished?—Yes; he can be punished for not complying with the Act of Parliament in flying his jack.

7369. Where is that provision; is it in the Merchant Shipping Act?—Yes, it is in the Merchant Shipping Act.

7370. You must be under a misapprehension?—No, I am not; there is the 348th clause, by which the master of a ship is obliged to hoist his jack and keep it flying from Dungeness to the South Buoy, of the brake in a line with Sundown Castle.

7371. *Chairman.*] There is nothing to prevent him taking a waterman and keeping him on board so long as a pilot does not offer himself?—No.

7372. Sir *C. Wingfield.*] Do you recollect the instance of a master being punished merely for taking a waterman on board?—No.

7373. Mr. *Graves.*] You say you received some letters from the members of the Trinity House; are those letters private, or are they official letters?—They were to Mr. Mallett, one of our deputation.

7374. Have you received any yourself?—No, Mr. Mallett, my colleague, has.

7375. Is the examination for the north channel the same as it is for the south?—I believe it is.

7376. You are not licensed for the north channel, are you?—Yes, under the Cinque Ports we were licensed for the north channel and the coast of Holland.

7377. Could you take a ship through the north channel?—Yes.

7378. Do many of the Cinque Ports pilots take vessels through the north channel?—No, they are not called upon to do so.

7379. It is only those who are specially privileged for the north channel who confine themselves by arrangement to the north channel?—It is merely for the time of war; we were compelled to pass an examination at the time for the north and south channels and the coast of Holland, as far as the Texel.

7380. In practice you are not called upon to do so?—No; except occasionally we go across to Antwerp with Her Majesty's yacht.

7381. Do you know whether there are a class of unlicensed men that take vessels up and down the north channel?—I believe there are many fishermen who take ships up and down the north channel.

7382. You do not know it yourself?—No.

7383. Shall we have any of the north channel pilots here to give evidence?—That I do not know.

7384. Are there boats attached to the north channel pilot service, the same as there are in the south channel?—The cutters there I believe belong to the pilots themselves; the Trinity House has no control over them.

7385. But there are pilot cutters attached to the north channel service?—Yes.

7386. Are they of the same class and size as your own?—I do not know that they are quite as large, but they may be.

7387. Do you receive your license from the Trinity House?—Yes.

7388. Who collects the earnings of the pilots in London?—Mr. Wood, our agent.

7389. Do the earnings go into the hands of the Trinity House at all?—No, only foreign ships are compelled to pay into the Trinity House; the Trinity House pay their pilotage to Mr. Wood.

7390. Why is that?—I suppose it is paid into the Customs; there is a law compelling all foreign ships to pay it into the Customs, so that they shall not escape the pilotage.

7391. In what way are you responsible to the Trinity House when you have once received your license?—They make certain bye-laws and regulations for the maintenance of order and discipline in the body, and for the cruising of the cutters; and they keep up the establishment of the cutters, and the superintendence at Dover and Deal.

7392. Do the Trinity House maintain the cutters?—The ship has to pay for it.

7393. But no part of the cost of maintaining the cutters comes out of your earnings, does it?—No.

7394. Is the cost of maintaining the cutters an additional cost to the pilotage, which the shipowner has to pay?—Yes, according to a scale; 60 tons and under 150 tons, it would be 1 *l.* for boarding and shipping money, 150 tons and under 250 tons, 1 *l.* 5 *s.*, and so on, up to 3 *l.* 3 *s.* for 1,000 ton ships, and upwards.

7395. Who appoints the masters to those boats?—The Trinity House.

7396. What control have the pilots over these boats?—None whatever.

7397. Under what head is the charge made for maintaining these boats; what do they call the charge, is it pilotage or boarding money?—Shipping money.

7398. Who controls the movements of these vessels when cruising?—The masters of the cutters.

7399. Do the pilots simply take a passage up and down, and remain in them till a vessel comes for them?—Yes; they cruise about in the cutters till they are wanted.

7400. Is that considered a good system?—I do not consider that it is.

7401. Has it ever been complained of to the Trinity House?—Many times.

7402. What has been the reply?—The Trinity House would not sanction any alteration.

7403. Have

7403. Have they given any reason for it?—They consider if the pilots had the control they would shirk small vessels; it being compulsory upon all they would shirk the small vessels, and merely look out for the large ones, and so it was taken out of the pilots' hands; but the present system is a very bad one.

7404. That would rather tend to lead to the supposition that with a voluntary system of pilotage with the boats in your own control, you would probably pursue the same sytem?—If it were a voluntary system we should.

7405. That is the one advantage of the compulsory service, as far as the shipowners are concerned?—Yes; we must go to small vessels if they put a jack up; but under the voluntary system I think it would apply only on one side.

7406. Would the service, on the whole, be worked more vigilantly or more efficiently if the boats were under your own charge, and you had the appointment of your own masters to these boats?—I think it would; the present system takes away all the energies and abilities of the pilots.

7407. Is it a part of your duty when cruising to be constantly sounding the channel?—No, because the cutters do not go over our pilotage district; it is only from Dungeness to the Downs; the cutters do not go further than the Downs.

7408. It is no part of your duty to take soundings as regards the alterations of the channels?—Our cutters do not enter them; they come only from Dungeness to the Downs; if we thought there was anything particular in the bay, we should survey it and sound about there, but the cutters do not come into our channels at all; only to the Downs or Dover, as the case may be, for a supply of pilots, and then they return westward.

7409. Mr. *Wykeham Martin.*] You do not come into the Thames?—Our cutters do not.

7410. Mr. *Graves.*] You are out of the jurisdiction beyond Dungeness?—Yes.

7411. And northwards it is the Downs, I understand?—No, it is compulsory now to the Ness, both in and out.

7412. Do you see any objection to having the limit the same, supposing it was Dungeness out and the Downs in?—If the system was to be altered, I should say, make it compulsory from the Downs.

7413. Are you acquainted sufficiently with the matter to answer questions of law upon this point?—No; I am satisfied that it is compulsory, and has been since 1825.

7414. What is the practice with regard to pilotage; do you leave a vessel generally in the Downs?—Outwards, most pilots do; some of the large shipowners take their pilots down to the Wight, and some further.

7415. Nine out of every 10 masters get rid of their pilots at the Downs, do they not?—Yes.

7416. You have a superannuation fund, have you not?—Yes.

7417. What are your contributions to that fund annually?—Eleven shillings per turn upon every turn that we carry, and 6*l.* per annum besides. 11*s.* per turn gives to every superannuated pilot a superannuation of 50*l.* a year. It is 50*l.* a year on the whole, but he has to pay the 6*l.* a year as well as a working pilot, so that it is reduced to 44*l.* a year.

7418. Does that include poundage?—No, we do not pay a poundage.

7419. Are you speaking of the Cinque Ports?—Yes.

7420. Do the Cinque Ports pilots contribute poundage?—No, they contribute dues.

7421. What do you contribute annually in the shape of dues?—The average would come to about 15*l.* a year in dues; 6*l.* a year for contribution, which we call death-money, that is, for the widow to receive 143*l.* at death, which I should have been glad to have got rid of long ago, for I could get 300*l.* for the same money.

7422. Is your contribution 22*l.* a year?—It is about 23*l.* a year.

7423. What is it that you will be entitled to when superannuated?—The gross is 50*l.* a year, but I should be compelled out of the 50*l.* a year to pay 6*l.* a year to the Trinity House.

7424. That is 44*l.* a year, which you would get net?—Yes.

7425. Is it obligatory upon the Trinity House to give you that amount?—It is; they are compelled to do it by Act of Parliament.

7426. That is only with regard to the Cinque Ports pilots, is it?—Yes.

7427. *Chairman.*] The actual amount is defined by Act of Parliament, is it not?—Yes, and they cannot go from it; and the widow gets 143*l.*, and 12*l.* 12*s.* per year for life.

7428. Mr. *Graves.*] Is it obligatory upon you to keep up that payment?—I believe so.

7429. Mr. *Brassey.*] Do all the pilots pay?—All the Cinque Ports pilots pay, and all the Trinity pilots pay their 2½ per cent. as poundage, and 3*l.* 3*s.* every year for their license.

7430. *Chairman.*] The arrangement of this pension fund is very favourable to out-port pilots, and very unfavourable to the Thames pilots, is it not?—It is, with regard to those who pay poundage, very unfair indeed, because some of the out-port pilots pay nothing, and yet they are all pensioned from that same fund.

7431. Even though they have received only a small amount for pilotage on active service, when they are superannuated they get the same as men like yourself, who have made very large incomes?—Yes.

7432. And you are taxed for the benefit of the out-port pilots?—Not myself individually, or any of the Cinque Ports men.

7433. The burden falls less upon you than upon the Trinity Cinque Ports pilots, does it not?—Yes.

7434. Do the Cinque Ports pilots pay 11*s.* a turn?—Yes.

7435. Instead of poundage?—Yes.

7436. But the other pilots pay poundage, do they not?—Yes.

7437. What is the poundage?—Two-and-a-half per cent.

7438. I suppose it falls very heavily upon some?—Yes.

7439. And it is for the benefit of the out-port pilots who have contributed very little, but they get the same superannuation eventually as the other pilots?—Yes.

7440. Mr. *Graves.*] Is there any special fund now to meet this superannuation?—Yes; the vested funds amount altogether, upon the whole, to something like 90,000*l.*

7441. Is that applicable to all superannuations made under the Trinity House, or have you, as Cinque Ports pilots, any special claim upon that fund?—Yes; when the amalgamation took place in 1854 we handed over to the Trinity House 23,000*l.*,

Mr. *J. B. Millen*
17 May 1870.

23,000 *l.*, besides other properties, amounting in the whole, with the value of future contributions, to about 51,000 *l.*, and they then said our funds were not solvent, and they allowed us 3,000 *l.* for our cutters; and there was a grant made from the Mercantile Marine Fund, amounting to 6,000 *l.*, which made the fund solvent at that time; and since 1854 the same body of pilots have paid upwards of 32,000 *l.* in contributions to the Trinity Board.

7442. Besides the 51,000 *l.*?—Yes.

7443. And the 3,000 *l.* for the cutters?—Yes.

7444. That is 84,000 *l.*?—Yes, altogether placed to our credit, including interest on stocks, it should amount to that.

7445. Probably it would be the opinion of the Cinque Ports pilots that no scheme of reduction of pilots by superannuating any number of them would be quite just, if it interfered in any way with the obligations to pay the Cinque Ports pilots their superannuation?—I do not know how these funds would all be kept up; the payments are individually the same in each one, and if you take off the upper part of the list, they would all be Cinque Ports pilots; then on those Cinque Ports pilots remaining, the contributions would fall very heavily to keep the fund solvent.

7446. *Chairman.*] Are all these contributions put into the same fund, or is there any distinction between the different funds?—No, there is not.

7447. And out of that fund the superannuations are paid all equally?—Yes.

7448. Is there any distinction between the superannuations of the Cinque Ports pilots and the superannuations of other pilots?—Only so far as regards the amount.

7449. What is the difference?—I think the highest that a Trinity pilot can get is 28 *l.* a year, after a very long servitude.

7450. And your Cinque Ports pilots get 44 *l.*?—Yes.

7451. Then the Cinque Ports pilots pay less and receive more eventually?—No; we pay much more if you take 11 *s.* upon every turn into consideration.

7452. Mr. *Graves.*] How often does the pilot committee of the Trinity House sit?—Twice a week.

7453. And there is a continual intercourse kept up in the control of the local authority over the pilots?—If they have any cause, they write down to the superintendent; there is a superintendent at Dover.

7454. Are the proceedings taken in public?—No; the Trinity House is a close court.

7455. Can you bring a vessel up to the London Docks?—No; to Gravesend only.

7456. Can you take a vessel from the London Docks?—Only from Gravesend.

7457. How is it arranged with regard to the boarding of the vessel; does the master of the cutter say who is to board?—We all go by turn; the senior pilot has the control of the pilots on board the cutter and maintains order, and he sees that the pilot required for a vessel is sent to that ship.

7458. Outwards, how is it done; is it by turn?—Outwards, there is great deal of choice.

7459. Is it usual for owners to select their own pilots outwards?—In a great many cases it is.

7460. Do your earnings go into one common fund, and is it then divided, or has each man his own earnings?—Each man has his own earnings.

7461. The selection probably would account for the reason that some earn so much more than the others?—That is so.

7462. *Chairman.*] In the case of inward pilots, it is merely a matter of chance, is it not?—Yes.

7463. They are directed what vessel to go on board of, and it depends upon whether it is a large ship, or a small one, what they get?—Yes.

7464. Do you pilot many vessels outwards, or is your whole pilotage inwards?—Inwards.

7465. As soon as you have piloted a vessel inwards, do you go back again and take another vessel; you do not practically pilot vessels outwards?—No.

7466. And I believe none of the Deal pilots do that?—No.

7467. Are they all engaged in piloting inwards?—Yes.

7468. As soon as they have finished their work inwards, they go back to their vessel?—Yes; they come back and enter their names in a book at the bottom of the list.

7469. Practically, the outward pilots and the inward pilots are a separate body?—Yes.

7470. Mr. *Graves.*] Do steamers, as a rule, take pilots generally through the south channel?—No; they are mostly passed men; they would not think of it; many of them while in the foreign trade do, because the law compels them; but when they enter on a voyage in the coasting trade they do not think of it.

7471. *Chairman.*] Is it the fact that a considerable number of vessels take pilots off Scilly?—Not that I am aware of.

7472. Did you never know of such a case?—No.

7473. Not licensed pilots?—I do not know that any man from there would go down so far.

7474. But when you go on board these large vessels, do not you supersede men who have been on board?—Occasionally.

7475. Is not that the case very frequently?—It is not very frequent.

7476. Are you not aware that there is a body of pilots at Scilly employed solely in piloting the vessels up to the Downs?—I am not aware of it.

7477. Is it not the fact that there are men at Scilly who are solely employed in piloting vessels up to the Downs?—No; I do not suppose I relieve one man out of a dozen ships on boarding them.

7478. Not one Scilly man?—No; in the whole 19 years, I do not know that I ever was on board a ship with a Scilly man as a pilot.

7479. Do not other vessels take pilots off the Isle of Wight, whom you again supersede?—Some foreign vessels go in for orders, and they bring a man up with them, but their employment is not frequent.

7480. Why is it that the present system of the ownership of the boats takes away all the energy and ability of the men?—If a man is on board a vessel, and feels himself only to be a passenger in a vessel, let his energies be ever so great, he is not called upon to put them forth.

7481. What happens now is, that he is directed what vessel he is to go on board of?—The master of the cutter has all the arrangements of the crews and the cruising, and when he sees a vessel with a Jack, up she is pointed out, and the senior pilot directs whoever is on turn to go to her.

7482. Supposing a vessel was owned by the pilots,

pilots, what should you say?—We should think Dungeness would be better supplied than it is at present.

7483. How would you do it?—I would keep the cutters more at Dungeness. They are scattered from the South Foreland to Dungeness, and are compelled to be upon these cruising grounds at all times. Supposing it a flood tide, and strong westerly wind, with a fleet of ships at hand, before the eastern cutters can get to the Ness, the western and middle cutters are empty, consequently there are no pilots at Dungeness for the vessels coming there.

7484. You mean if they pass by the empty cutters?—They are run out.

7485. You think the supply of pilots would be better maintained if the boats were owned by the pilots?—Yes.

7486. Do you think they would cruise further out to sea?—We should not go further than the west side of Dungeness, the waters are too wide; and vessels haul in when they come to Dungeness; they must do so, on account of two dangerous shoals lying to the eastward.

7487. If the boats were owned by the pilots, do not you think they would station them much the same as they are now?—They would keep them more to the Ness than they do now.

7488. Would all the three boats be nearer to the Ness?—There are occasions when they might be scattered about; but if they were more under the control of the pilots they would not be found knocking about Dover so much.

7489. They find fault with the stations of the boats rather than anything else, do they not?—Yes, and altogether with the management of the cutters; that causes a very great deal of unpleasantness.

7490. Mr. *Cave.*] You pilot to Gravesend, do you not?—Yes.

7491. And you are there superseded by the river pilots?—Yes.

7492. Mr. *Brassey.*] You said something about a contribution of 6 *l.* a year, which is applied for the benefit of the widows of the pilots?—Yes.

7493. Is that contribution paid by all the pilots?—It is paid by all the Cinque Ports pilots.

7494. You said that they get a lump sum of 143 *l.* at death, and 12 *l.* 12 *s.* pension for life?—The 12 *l.* 12 *s.* has nothing to do with the 6 *l.*; we pay the 6 *l.* a year for the sake of the 143 *l.* at death.

7495. As to the license money, did not you say that you paid 3 *l.* 3 *s.* a year for the license money?—£. 3. 3. annually, Trinity pilots do.

7496. What becomes of that money?—It is added to the Trinity House funds. Mr. *J. B. Millen.* 17 May 1870.

7497. And applied for your benefit?—It is applied to the superannuation of the pilots.

7498. So that, in fact, you make that additional payment to get that fixed superannuation which you have already spoken of; it goes into the same fund, as far as you know, and you get no other benefit from it except the superannuation?—We do not know that we receive any benefit whatever; we hand over so much of the funds to the Trinity House.

7499. You were asked whether the Deal boatmen were not competent to pilot large vessels through the Downs, and you said that they would be acquainted with the channels; but where they would fail would be in the knowledge of handling large ships?—Yes, and more; they are not accustomed to the work; I think you would find that very few of them would be capable of conducting a ship through the Gulf Stream in dirty weather.

7500. A man may be well able to manage a Deal lugger, and not be able to manage a ship of 3,000 tons?—No; he would not know what to do with her.

7501. You were asked about the Trinity House; they have no doubt the right to license any additional number of pilots that they please?—I do not think they have, inwards.

7502. Are there other reasons why they should not license an additional number besides any legal difficulty; for instance, with regard to the income which the pilots now receive, you stated that that might be more than a sufficient inducement for masters from the merchant service to enter the pilot service, but they would not come for smaller sums?—They would not come for a small sum.

7503. And therefore, if you wish to have a man as experienced and competent, and having the same prospects in the merchant service, as those who now join the Trinity House pilot service, you must give them as good prospects as they now enjoy, or else you will not induce them to leave their other occupations?—No; if you want to maintain a respectable body of men, you must pay them a certain sum which will enable them to live respectably, and to hold a respectable position in life.

7504. The Trinity House are rather restrained from adding to the present number of pilots, because they are obliged to consider the efficiency of the service?—Yes; and we are not allowed to enter into any other trade or occupation whatever; we are obliged to confine ourselves entirely to piloting.

Mr. JOHN CAPON MALLETT, called in; and Examined.

7505. Mr. *Brassey.*] YOU are a Trinity Cinque Ports Pilot, are you not?—Yes.

7506. And you are licensed for the River Thames in both the north and south channels, as well as the coast of Flanders and Holland, and as far to the westward as the Isle of Wight?—Yes.

7507. When did you enter the pilot service?—I entered the pilot service in 1849.

7508. And when did you pass your final examination under the Trinity House arrangement?—In 1854.

7509. What qualifications had you to show before you could be appointed a pilot under the Trinity House, under the first examination?—I had to prove that I was duly qualified in every respect to work a square-rigged vessel; to show that I was a perfect navigator, and also to prove my efficiency in the knowledge of the channels of the river. Mr. *J. C. Mallett.*

7510. Had you commanded a square-rigged vessel before you entered the pilotage service?—Yes, I had for 10 years before that.

7511. What class of ships did you command, and in what service were they employed?—I commanded a square-rigged vessel in the Hud-

Mr. *J. C. Mallett.*

17 May 1870.

son's Bay Company's service, and also in the trading to the East Indies.

7512. When you were yourself captain in the merchant service, did you always find that the assistance of a pilot was exceedingly necessary in the channels and the approaches to the Thames?—Yes; I always thought it exceedingly necessary, and I always found great relief, when I came on to a pilot station, to be relieved from the responsibility and anxiety which I had previously experienced.

7513. Have you heard shipmasters complain of being by law compelled to take a pilot?—I have not.

7514. Have you heard any of them express a sort of apprehension at the threatened abolition of compulsory pilotage?—I have heard several express such a feeling, that their owners would oblige them to go in this difficult navigation when they would not feel inclined to go by themselves.

7515. Do you consider that a great loss of life and property would ensue from the abolition of compulsory pilotage?—I think so, indeed.

7516. Does the record of wrecks that have occurred in the channel of the River Thames tend to show that where no licensed pilot was in charge of a ship accidents occurred much more frequently than in the cases where ships were in charge of pilots?—Indeed, that has come out very fully in the record of wrecks; that is, very few cases have occurred of loss of life or loss of property on occasion when pilots had been in charge of vessels: in other cases it has occurred when there have been no pilots on board.

7517. Do you consider that the south channel of the River Thames is one of the most dangerous and intricate in the world?—I do, indeed.

7518. On what grounds?—On the grounds of the narrowness of the channels and intricacy of them; the cross tides that are setting in there, the dangerous bar that there is. With reference to that, I believe large ships cannot pass through; they cannot pass over it until the water has risen sufficiently high to allow them to do so, so that it requires a pilot's knowledge, and a very intimate knowledge of the locality, to understand how, and at what time, a ship can pass over this particularly dangerous locality.

7519. On these grounds, you think the south channel of the River Thames ought to be made an exception under this Bill?—I think, looking at the Bill in its entirety, that it is really necessary that a person should have passed his examination, and thoroughly inquired into the particulars connected with the navigation of these channels, in order to insure the lives of those on board the vessel he is conducting, and also that the vessel will be conducted in a most efficient manner.

7520. Your evidence goes to prove that the pilots in the Cinque Ports had been all in good situations in the pilot service before they took up the appointment under the Trinity House?—It was necessary in order to enter it; a candidate would not be allowed to be examined unless he could prove these qualifications.

7521. Would you have given up your prospects in the merchant service, except with the understanding that the terms and conditions of the Trinity service were established by Act of Parliament, and therefore were not likely to be changed?—I should not have done so, and I believe many of my colleagues would not have done so either.

7522. What contributions do you make for the purpose of securing superannuation?—We have to pay 6*l.* a year; that was the established rule when we were united with the Trinity House. I speak of the old Cinque Ports system, when it was united with the Trinity House; that was the arrangement made in our body, that 6*l.* a year should be paid to keep up the Annuity Fund, the Superannuation and Widows' Fund.

7523. And that contribution you continue to pay?—Yes.

7524. For that contribution what sum do you get as a superannuation?—We are not certain of any; for instance, if I, as a pilot, were to do anything wrong, say, if, by any mismanagement of mine, I was brought before the Trinity House and suspended, or my license taken away from me, I should receive no benefit at all from the contributions I had made.

7525. Supposing you are suspended for a limited period, say for six or nine months, would that injure your prospects of superannuation?—It would not injure it finally, if I were restored to my position again.

7526. Can you give any instances in which a pilot who has been for a series of years contributing the sum of 6*l.* a year, has been ultimately disappointed in his prospects of superannuation, without having been guilty of any gross misconduct?—I can produce a few instances, but I have not got them here at present.

7527. You cannot speak from recollection?—No.

7528. *Chairman.*] It is at the discretion of the Trinity House, is it not, whether to give the superannuation or not?—No; on the Cinque Ports old establishment with the Trinity House it was not left to the discretion of the Trinity House that they should do this; it was made compulsory with the Trinity House to make these arrangements only at a certain age.

7529. You, I think, have gone rather fully into the subject of the abolition of compulsory pilotage, and you have made some calculations, have you not, and proved a result in the way of loss of employment if this Bill is carried?—I have.

7530. What is the result of those calculations?—I think we should here lose at least one-third of our income, and I think more, in fact; but I am quite certain that one-third would be sacrificed.

7531. It would arise from the great number of vessels which take pilots under the compulsory system, ceasing to take them?—Yes.

7532. Do you think those vessels would, by ceasing to take pilots, incur any serious risk of loss of life to the crews?—I think very largely, judging from my own experience, and what I have seen under different circumstances. When I had passed my examination under the Cinque Ports system, I took a frigate out for the Russian Government; in doing this, I was allowed the pilotage if I could save it. I went into several places up the Mediteranean withot taking a pilot at all, simply because I was tempted by the money which I could charge for pilotage, and which accrued to myself instead of being paid to the pilot.

7533. Mr. *Wykeham Martin.*] I suppose you do not know the Mediterranean ports?—Only by the charts.

7534. Mr. *Brassey.*] It was stated in the Parliamentary Paper referring to the loss of the "Spindrift," that the pilotage in that case was compulsory?—It has been stated so.

7535. What

7535. What is the limit of the compulsory pilotage service outwards?—The compulsory pilotage service outwards is only as far as the Downs; consequently the captain of the "Spindrift," on arriving in the Downs, could, if he had pleased, have landed his pilot there; that is to say, the pilot of the "Spindrift" could not have insisted upon the captain of the "Spindrift" carrying him any further than that.

7536. Mr. *Graves.*] Supposing another pilot had offered himself at the Downs, would the master have been justified in refusing his services on to Dungeness?—I think so.

7537. Mr. *Brassey.*] Is it not the practice that 99 out of 100 vessels discharge their pilots at the Downs?—Yes.

7538. Is it always in the Downs?—Yes.

7539. Therefore the captain of the "Spindrift," in continuing his voyage as far as the Downs with the pilot on board, was not under compulsion to take a pilot; he took him voluntarily?—No, he was not under compulsion; in all my voyages to India I could safely say that I hired a boat before arriving in the Downs for the purpose of landing the pilot; consequently, there can be no compulsion; it is simply a matter of choice entirely.

7540. Do you consider that a pilot is relieved, by the employment of tugs, from the responsibility or the risk which he incurs when in charge of a vessel under canvass?—As an individual, I should say my responsibility is increased, because then the tug becomes part of my charge.

7541. So that it occurs that tugs, in towing vessels when not under the charge of pilots, frequently tow them into improper and dangerous positions?—I think it is extremely likely they may do so.

7542. Does that often occur?—I will not say that it has occurred in my experience; that is to say, I would not like to say that any tug ever towed me into danger, because I, as a pilot, would try to prevent it; but I have heard of many cases in which tugs have towed vessels into danger, and come upon them for salvage for rescuing them from the danger they had towed them into.

7543. Can you state any case in which a pilot was in charge of a ship and the ship was in tow of a tug, and through the misconduct of the tug in refusing to obey the instructions of the pilot, very serious consequences ensued: do you remember the case of the barque "Sarah"?—In that case the tug was overpowered; it was in consequence of the action of the tug which led the pilot to go on with his vessel till he came to a part of the river where a storm arose, and the tug could no longer tow the ship, and consequently the pilot was obliged to anchor. In that case, the ship herself was left to the anchors alone to protect her; the tug was of no use whatever, and that ship was lost.

7544. Now as to compensation: you have, of course, very carefully studied the clauses of this Bill, providing for the compensation of the pilots; what is your opinion of the proposed scheme of compensation?—I do not see that there is any compensation allowed, and I cannot see that any compensation to pilots will arise from that Bill.

7545. You think that what is proposed under the Bill is entirely inadequate to meet the justice of your case?—I think so. I cannot see how it meets anything connected with our case at all; the fact is, that we come into the service under the idea that we were to protect life and property passing through the dangers of the channels of the Thames. The compensation spoken of in the Bill does not meet the case at all, because it will withdraw that protection that we came into the service with the idea of.

7546. Have you anything to suggest as to what would be a satisfactory scheme for the loss which you apprehend under this Bill?—I have not considered it in that light at all. I think that for the withdrawal of the competent class of persons from the protection of life and property passing through these channels, no compensation in the world, which any Committee could give, would make it up.

7547. You talk in the interest of trade, and the general interests which may be affected by this Bill; but as regards yourself personally, and as a pilot, have you anything to suggest to the Committee that will satisfy you?—I have not considered it in that light, because I never thought when the question was brought before the Committee that they would sanction it.

7548. You simply looked at it in the interests of the trade at large?—I look at it in the case of life alone. I really do think that no compensation that any Committee could award me, would compensate me for anything that could possibly take place under the operations of the Bill, because the protection would be removed, and danger to life would occur.

7549. Mr. *Pemberton.*] Have you seen the clauses relating to compensation in the Bill?—Yes.

7550. You do not think they are sufficient?—I think not.

7551. What you would suggest would be to guarantee half the amount of income that you have hitherto on the average been in the habit of earning?—I think it ought to be guaranteed to us.

7552. That is to say, that so long as you are able and willing to perform your duties?—Yes.

7553. You said, did you not, that there was a certain sum guaranteed by the Government by way of superannuation?—Yes.

7554. You said you fancied it was under some Act of Parliament; do you know whether it is under any Act of Parliament?—I am not certain as to the exact date of the Act, but it is under Act of Parliament.

7555. Cannot you tell us what Act it was?—No, I have not my papers with me. I was called up to give my evidence before I expected to be.

7556. You said, did you not, that each pilot, on the average, contributed about 17 *l.* a year to the fund?—Between 16 *l.* and 17 *l.*

7557. And in return for that, when you are superannuated, you say you get 50 *l.* a year less, on payment of 6 *l.*, so that there is 44 *l.* net?—Yes.

7558. I suppose the Trinity Board are compelled to grant you this superannuation allowance, unless you have forfeited it by misconduct?—Yes.

7559. They have no option?—No; they have no option, unless any change takes place in the law.

7560. Is there any particular age at which a man is superannuated, or does it depend upon each particular case?—In some instances they have taken individual cases into consideration; if

Mr. *J. C. Mallett.*

17 May 1870.

a man has become lame, or incapacitated in any other way, they have superannuated that man upon that same allowance; but then it has been well proved to them before they did so that he was really incapable of performing his pilotage duties.

7561. Otherwise it is a question of age, is it not?—Yes; but we may or may not allow it; still the payments have to be kept up.

7562. In addition to the 17*l.* a-year, do you pay something towards the widows' fund?—No; that is all included; it amounts to 16 *l.* 10 *s.*, I think.

7563. Do you think that the Trinity House are compelled to pay this superannuation, whatever may be the state of the funds?—I do not know that; I am not quite certain about that; the two funds were amalgamated; the Cinque Ports fund was amalgamated with the Trinity House fund in 1864.

7564. You have no option; you are obliged to contribute the 17 *l.* a year?—Yes; we are not allowed to go to sea unless the contribution is made.

7565. Do you think, generally, that if you could be secured your average earnings for the past three years, that would be sufficient compensation?—As regards myself, perhaps it would be compensation enough.

7566. I speak as regards the pilots generally; will the compensation clauses, in your opinion, be sufficient if they secured to each pilot the average of his earnings for the last three or five years?—I hardly know what would compensate me, as an individual, or my compeers; I do not know what amount would compensate us, short of guaranteeing the income that we left when entering this service, under Acts of Parliament that have been passed in succession, guaranteeing that a certain amount of material was required for the safe conduct of vessels through intricate and dangerous channels. If another Government chooses to overthrow that protection to life and property, then I think that the amount that I was in the habit of receiving at the time that I left the one service to engage in the other ought to be guaranteed to me now.

7567. That you should be put in the same position as you were in before you went into the service?—Yes; I ought not to lose by it. Had I been left in that position, I could possibly have risen to something greater than that, but being confined to this position, where I cannot be anything greater than a pilot (I may be a good one or not, as my employers think right), I think that if the Government chooses to remove me from that position, they ought to put me in the position I was removed from, or that I might have arrived at if I had been allowed to keep in the other service.

7568. As regards the compensation clauses as they stand, do you think that the term of two years is too long a time for you to ascertain whether there has been a loss or not?—As regards the compensation clauses *in toto*, I quite disagree in the arrangement of them; because I cannot see that the Government are going to compensate the pilots at all by the compensation clauses. They propose that a portion of the pilots should be removed, to compensate for the losses of the others.

7569. In the first place, they provide that at the end of two years a calculation shall be made to see whether they have lost?—That is the principle of it; then supposing a loss takes place, and a portion of the body are to be removed in order that the others shall get a living, I cannot see how that is any compensation to the pilots themselves; it is simply removing the elder portion; the more superior class of pilots will be removed to make a provision for the others; that is removing the protection for life and property which the present system conduces to.

7570. Do not you think that two years is too long a time for you to calculate whether there is any loss or not?—I think one year is sufficient; I think the true solution for the Bill would be to throw the thing open for one year, and see whether others would not gladly revert back to the present system; guarantee us our present income. If you want the real trial of the question, throw it open, and let everybody go and pilot vessels that pleases, and let everyone who wants a pilot get a pilot when he can; we would willingly submit to the result.

7571. You do not think the nation would stand the system of voluntary pilotage?—It is voluntary already; there is no compulsion in it; the fact is this, there is no compulsion at all; it is simply compelling a man to undergo an examination; and where is there a man in this world that would not gladly undergo an examination if he thought he could pass through that examination properly? There is no compulsory pilotage; compulsory pilotage does not really exist. This is the question upon which everything hangs; there is no real compulsion, only that life and property passing through dangerous districts shall have an individual in charge of it who is the best person for conducting them through those dangers.

7572. Mr. *Cave.*] I believe you have written a book about pilotage?—I wrote a small treatise upon it.

7573. And therefore you have given much attention to the subject?—I have given much attention to it, and I have tried to do my duty as a pilot since I have been in the service.

7574. What is your opinion as to the liability of pilots in case of collision or accident?—I think the liability as regards collision ought to rest upon those who get the best material to conduct the vessel through any intricate or dangerous place.

7575. That is the master of the vessel?—The master of the vessel might be the one under certain circumstances, and would be the one under any circumstances if in pilotage waters he had passed his examination, to conduct a vessel through those dangers.

7576. Would you say the responsibility should lie upon the person who took the best means to get the vessel carried safely through?—Yes.

7577. That is the shipowner eventually?—I do not know that it is a shipowner's question at all; I think it is the underwriters on whom it would eventually fall.

7578. The shipowner and the underwriter are the same people in this case?—The shipowner would try to relieve himself from the payment of it, and leave to the other the responsibility of it; I do not think they ought to be co-existent.

7579. Do you mean that the shipowner or the pilot should be responsible in case of accident?—I think the shipowners, most decidedly, because the pilot is a mere addition to his work.

7580. Now you can illustrate it, if you like?—I should like to illustrate it, because it seems rather a difficult point connected with the question of compulsory

compulsory pilotage. We will take a vessel below Dungeness; she is in charge of her captain, and of course his officers and crew; he appoints the second mate to take charge of the captain's watch; say that she is off Beachey Head, running up Channel; and he says to the second mate, "I am going below to lie down on my sofa; you keep a good look-out." A collision occurs; she meets with some other vessel. The shipowner or the underwriter is responsible for that accident. By-and-bye the vessel arrives at Dungeness, where it has been thought that a better system should be established; that is to say, that the ships arriving in those difficult parts should have the best material that can possibly be afforded to them. A pilot is put on board. I do not see why the liability should be removed to the pilot when it is the best material that can be obtained; I do not see why it should be removed from one to the other simply on that account; it is rather changing terms to think that the better material should relieve the responsibility of the underwriters.

7581. The Dungeness pilots go up to Gravesend, and are there superseded?—Yes.

7582. Is that a good system, in your opinion?—I do not see any harm in it, because in the case of a ship arriving at Gravesend there is quite a different danger; it is more the danger of collision than of being driven on sands or shoals.

7583. How is it that you do not pilot vessels downwards from Gravesend?—We are allowed by the Act of 1854 to pilot both ways, but we do not do it; it is inconvenient to do so; it would involve having two homes, a residence in London and a residence in the Cinque Ports.

7584. As soon as you have got a vessel into her moorings at Gravesend, you start down the river at once again to meet another vessel?—Yes; we go down and sign on the rota list as soon as we can.

7585. Sir *C. Wingfield.*] Is the south channel of the Thames, in your opinion, more difficult than the north?—I think it is much more difficult than the north.

7586. You are aware that pilotage has been voluntary with most of the vessels that frequent the north channel, but that most of them take pilots; why should not the result be the same in the south channel, if pilotage was voluntary there?—I do not think it would be, for this reason, that in the north channel of the Thames, it is now compulsory.

7587. It is not compulsory with all the vessels in the Baltic trade, is it?—Not by the English law, but it is by the law of the countries from which the vessels come.

7588. The larger number of the vessels in the Baltic trade are English vessels, are they not?—No; the great majority are foreign vessels, who are bound by their policies to take pilots.

7589. The vessels you take in the south channel are equally bound by their policies, the French and other foreign vessels, are they not?—I do not know of any instance where they are bound; they are not usually bound; a vessel from Calcutta may be insured at Calcutta, the underwriters may be resident there; they know that she will go up the south channel of the Thames, and they know that a duly qualified person is ready to take charge of the vessel on her arrival there; consequently they do not insert anything of that kind in their policies, though it is inserted in the north channel pilotage.

7590. *Chairman.*] I understand that the underwriters of the vessels from the north of Europe proceeding to London take care that they insert a clause in their policies to the effect that the vessels are bound to carry pilots?—Yes.

7591. And they do so because they know that pilotage is free for the north channel?—It is on account of that, I believe, that they do it; they take that precaution in order to insure their property.

7592. Is it not likely that the same class of people will take the same precaution when pilotage is free in the south channel?—The majority of the vessels do not come by the south channel.

7593. The underwriters of foreign vessels would take the same precaution with the vessels proceeding by the south channel, when they know that the pilotage is free there, as the underwriters do now for vessels coming to London by the north channel?—It is possible that they will do so.

7594. It will be a greater inducement, because the south channel is a more dangerous channel?—Yes.

7595. The dangers of the south channel are much greater than the dangers of the north channel?—Yes, just so; but if you withdraw the compulsion then it would not be so.

7596. There will be a great inducement to put that clause into their policies when the compulsory pilotage is abolished?—Yes.

7597. Mr. *Gourley.*] Who told you that such a clause existed in the north of Europe policies: if policies were produced showing you that no such clause existed, would you be prepared to prove that any such clause existed in the policies?—I should be prepared to prove it in one instance.

7598. Did you ever see a policy with such a clause in it?—Yes.

7599. How many have you seen?—I have seen one or two; I will not say that I have seen very many.

7600. *Chairman.*] The employment of pilots by foreign vessels coming to the north channel of the Thames is so frequent, that you are under the impression they are bound by their policies to take pilots?—Yes.

7601. Have you any doubt in your mind as to whether foreign vessels will or will not take pilots by the south channel when the pilotage is free?—They may or may not.

7602. Do not you think that, most probably, they will take pilots in the same way as they take pilots by the north channel?—Yes; I think they might do so.

7603. You gave the Committee an opinion that your employment will fall off when this Bill comes into effect, and you think you will lose one-third of your income?—Yes.

7604. That is upon the supposition that one-third of the vessels now bound to take pilots will not take pilots when the Bill is passed?—Yes.

7605. You think that one-third of the vessels that now take pilots will not take pilots when the Bill is passed?—I think it will be more in British vessels.

7606. You give it as your opinion, that your income would fall off one-third?—Yes; I am quite certain of it.

7607. And that would be in consequence of one-third of the vessels discontinuing to take pilots?—Yes; but that is with regard to the British vessels. I do not think that foreigners

Mr. *J. C. Mallett.*

17 May 1870.

would do so, because they would put on a compulsion in another sense.

7608. And therefore they would continue to take pilots?—Yes.

7609. And therefore the great falling off will be in the British vessels?—That is my idea.

7610. What is the proportion of your employment now due to foreign vessels?—I am not exactly prepared with the figures.

7611. You might be able to give us a pretty good idea of what number of foreign vessels are piloted compared with British vessels; is it not nearly one-half?—No, I do not think it is one-half.

7612. Is it not the fact that a very large number of British vessels of all kinds pass by there free from pilotage?—There are very few licenses, as regards the Thames; that is one of the reasons why I should say they should be compelled to be examined; they find a great difficulty in passing their examination, otherwise they would do so.

7613. What is the proportion of your employment due to foreign vessels?—I cannot say exactly.

7614. Is it approaching one-half?—I think you know more about it than I do.

7615. I want your opinion?—I left my papers at home.

7616. Is it not approaching one-half?—No; two-thirds are English vessels, I should think, judging from appearance.

7617. I presume the class of vessels that would decline to take pilots would be the small vessels?—They would try to evade the pilotage dues; I do not say that they would try to evade the pilotage qualification.

7618. After this Bill is passed, your opinion is that one-third of the vessels would decline to take pilots; is that so?—I think they would endeavour to save the pilotage.

7619. What class of vessels would those be?—The small schooners and steamboats, and those who choose to run cheap at the public expense.

7620. But the larger vessels would continue to take pilots, would they not?—They might or might not; I am not certain.

7621. Your calculation is based upon the small vessels declining to take pilots, and the larger vessels continuing to take pilots?—I think some of them would.

7622. With regard to vessels coming from the East Indies, where the captain had very little experience of the pilotage waters, is it not certain that that man would take a pilot?—It is not quite certain; he might be tempted to go without one.

7623. Is it not most probable that he would take a pilot?—It is not quite certain.

7624. Is not your calculation of two-thirds of vessels continuing to take pilots based upon the fact that the larger vessels would continue to take pilots?—The larger vessels would be more likely to do it than the smaller vessels, but the captains of the larger ships might even be tempted, because there is a larger amount to save by evading the pilotage. For instance, he engages a tug; say that he gets 50*l.*, and he gives the tug 50*l.* to tow him up; if he can get up on a very fine day, and so pocket the pilotage, he will do so.

7625. Are there not a considerable number of vessels that go from the Thames in ballast up to the ports on the west coast of England?—Yes.

7626. They are not bound to carry pilots, are they?—No.

7627. Do not they, as a rule, take pilots?—They take watermen.

7628. Do not they take pilots?—I have heard of instances where they take watermen, and get the ship ashore.

7629. Do not they take pilots; you must know that Mr. Smith's vessels do go round in ballast from the Thames to Glasgow; do not they take a pilot on the voyage to Glasgow?—I believe they do take men, but they are not licensed pilots.

7630. But you are entitled to supersede them, are you not?—Yes, if we can get on board of them.

7631. Do not you look after them with the view of superseding them?—No; we do not like to interfere with any such arrangement as that; we have an idea rather superior to it. If people do not want us, we do not like to force our services upon them.

7632. You are entitled by law to supersede these men, are you not?—Yes; we do not take advantage of it.

7633. Is it not the fact that these big vessels going round in ballast do take pilots?—I do not know it as a positive fact.

7634. You must know it pretty well?—I cannot say for certain.

7635. Have you not a shrewd suspicion that it is so?—No, I have not a shrewd suspicion; I cannot say for certain that it is so.

7636. Assuming that the larger vessels continue to take pilots, and the proportion of vessels continuing to take pilots is two-thirds, and let us suppose that one-third of the present pilots are superannuated, will not the position of those remaining as pilots be much the same as it is now?—I cannot see that it will be; their moral standing would be removed entirely.

7637. I am speaking with regard to income?—I think the income would depend very much upon the moral standing; it generally does.

7638. I assume that only one-third of the vessels decline to take pilots, and two-thirds continue to take pilots; and I also assume that one-third of the pilots are superannuated and two-thirds remain; will not the two-thirds be as well off, if not better off, than they are at present?—I do not think so; they will not have the same position in society.

7639. I talk of income?—Income results generally from position in society.

7640. Is it not often the reverse; I want to know whether, in your opinion, your position in point of income will not be as good then as it is at present?—No, it will not be.

7641. I assume that one-third of the number are reduced?—One-third of the number being reduced would throw discredit upon the system entirely.

7642. Why?—It would show that there was no necessity for them.

7643. I talk of two-thirds of the men who remain as pilots?—I cannot say that such would be the case.

7644. I want to know what the difference would be to the pilots?—The difference to the pilots must eventually be a loss of standing; a loss of position.

7645. How would it show itself?—The public would be the first to feel it.

7646. Is there any difference now between the standing of the pilots of the south channel and the

the pilots of the north channel?—I do not know that one is in any way superior to the other.

7647. Is not their position very much the same?—I hardly know whether it is or not; I have had very little acquaintance with the north channel pilots.

7648. You must know pretty well about them as to whether their position is not very much the same as your own?—It may or may not be the same.

7649. Are not they taken from the same class of people?—I think that very likely they are; they are nautical men.

7650. Are not their incomes very nearly approaching your incomes?—Yes; but it is necessary that they should be equally qualified as those of the south channel.

7651. You do not think that they are equally qualified?—I did not say that; I said it is necessary that they should be so qualified.

7652. Why; because the pilotage is easier?—The pilotage of the south channel is much more difficult than that of the north channel.

7653. Mr. *Gourley.*] You are at the head of the pilots of the United Kingdom, in a social scale, are you not?—No; I do not assume any superior position of that sort; I only speak as an individual pilot.

7654. *Chairman.*] Do you agree with the last witness, that the present system of ownership of pilot boats is not a good one?—I should be very sorry to give any decided opinion upon that; I think that all pilotage establishments ought to be under one head and rule, therefore I should not like to say it was wrong.

7655. I want to know your opinion with regard to the system of management and ownership of boats; do you think it better that the pilots should manage their own boats?—I do not think I can give a decided opinion upon that.

7656. You do not agree with the last witness?—I agree with the last witness, and for this reason, that the best amount of intellect ought to be displayed where it is most necessary.

7657. Do you think that it is displayed in the best manner now?—If I must give an answer to that question, I must say no.

7658. What is the defect of the present system?—I say that the greatest amount of nautical intellect ought to be brought to bear upon the cruising system of our stations.

7659. I talk of the ownership of the boats, and the system under which the boats are managed; ought it to be in the hands of the pilots, or ought it to be kept separate; would it be better that the pilots should own and manage their own boats?—I think they ought to have control over the boats.

7660. Why?—Because there is the greatest amount of intellect brought to bear upon the management of them.

7661. Do you think if they managed their own boats there would be greater energy displayed?—I think it must be better, under those circumstances, because each pilot is interested in the cruising.

7662. Would the greater interest which the pilot would have give rise to greater energy?—Of course they would be more interested in it than they are under the present system.

7663. And it would induce greater energy?—Yes.

7664. Would they cruise a little further out than they do now?—I do not think it advisable that they should do so; I think it would be one of the worst things they possibly could do.

7665. The three cutters would be kept closer together?—I think the three cutters being kept upon the different stations eastward of Dungeness is the best; for this reason, that if they went further down channel the water of the channel there is so much wider that ships might pass outside of the cutters, and when they came into real danger, where a pilot is most necessary they would not be able to get one. We have frequent instances of that in the case of foreign cutters. The Dutch cutters are allowed to go where they please. We have frequently seen six or eight, or perhaps 10, Dutch vessels after a strong wind arriving at Dungeness, and not a pilot to be obtained.

7666. It is the fact that the Dutch pilots cruise much further to the westward than you do?—Yes.

7667. And they pick up their vessels further to the westward than you do?—I believe that they go there and get a little *douceur* from the owners or masters of the ships for coming on board before that; but it would be much better that the presents should be distributed to them to keep on their stations, where they are certain to be found.

7668. What is your experience of the employment of pilots before they come to Dungeness; do you often find, on going on board vessels, that they have taken pilots on board at Scilly or the Isle of Wight?—Yes; I have done it myself in many cases in coming up the Channel, but I have found no relief from it.

7669. What is your experience of the extent of the employment of pilots before the vessels come up to Dungeness; do you find, when you go on board large vessels, that they have picked up their pilots at the Scilly or the Isle of Wight?—Some do; but the most experienced captains would rather be without such pilots.

7670. Mr. *Gourley.*] Who gives the word of command to vessels in charge of a pilot going from London to Deal?—The pilot generally issues the command to the officers of the vessel.

7671. If the captain or officer of the vessel should refuse to obey the order, what would the pilot do in such a case?—I should round the ship and anchor her.

7672. You would not take the command out of the captain's hand altogether?—I think that would be the least risk for me to run.

7673. Who should have the command of the ship when the pilot is on board?—I think the pilot ought to have the command in a measure, but not to the fullest extent.

7674. Why should he have the command?—Because he is best acquainted with the difficult passages the vessel has to pass through.

7675. Do you think that the navigation in the channels between the Thames and Dungeness is so difficult as to require the assistance of a pilot?—I think it is very necessary for the safety of life and property. There is no security for life, except such a qualification as a pilot ensures. I think that a pilot ought to be on board every vessel coming into narrow waters.

7676. When vessels are in charge of steam-tugs, are they not more safe than when they are in charge of pilots?—No, I consider them rather less safe.

7677. How do you make that out?—I consider that when a tug gets hold of a ship of which I am

Mr. *J. C. Mallett.*

17 May 1870.

I am pilot, my responsibility is directly more than doubled.

7678. Does not the master of the tug direct the navigation not only of his own ship, but also of the ship that he is tugging?—In most cases that I have seen, all his energies are worn out before he takes a vessel in tow; he generally goes to bed.

7679. How does he find his way between the sands, if he does not know the navigation?—His business is to get employment, and sufficient remuneration for it. The business of a master of a tug consists in getting a job; and if he gets it he cares no more about it, because he knows that the pilot is responsible for all the accidents to his tug and the vessel he is towing.

7680. If his responsibility is so little, he is not accountable in any way whatever if he tugs the vessel on the banks?—He is not accountable for anything.

7681. And there is nothing that the pilot could do to prevent his tugging the vessel on shore when he is in charge of it?—The pilot, in a majority of cases, can prevent it.

7682. At all events, it is your opinion that whether pilotage be compulsory or voluntary, when a pilot is on board a ship, he shall have the sole charge of it in pilotage waters rather than the captain?—Not exactly. I look upon the business of a pilot to be to advise the commander of the vessel. I look upon him as an additional officer placed there for the purpose of giving additional protection to life and property, which was formerly under the master's charge.

7683. The commander of a ship is not commanded by his officer, he commands the officers?—Yes.

7684. According to your reasoning, when a pilot is on board the master should command the pilot?—Not quite.

7685. The captain commands the officers, and if the captain commands the officers, according to your reasoning he should also command the pilot; therefore, if he is to command the pilot, there is no reason why he should be compelled to take a pilot if he could do without him?—I think you misunderstand me; I will explain it again: I look upon the pilot as being another additional instrument in the hands of the captain for the safe conduct of his ship.

7686. You have altered your position; you are of opinion that when the pilot is on board he must be entirely subject to the captain?—I did not say that. When I engage my pilot, as a captain of a ship, I do not resign the command of the ship entirely into the hands of the pilot, I only get an additional safeguard for the conduct of the ship through the dangerous waters that I am obliged to pass through.

7687. I believe you hold the opinion that pilotage ought to be free, and that any number of men should be licensed who are able to pass an efficient examination?—No, I do not hold that opinion at all; I expressed an opinion that the better way to arrive at the public opinion of pilot services would be to throw the matter open.

7688. And adopt the free-trade principle?—I would not recommend that; I say that it would be a better proof of what the pilots are worth.

7689. Would you be prepared to adopt that principle?—I should be prepared to adopt it.

7690. If the watermen who now navigate so many ships from London down to Gravesend can pass an efficient examination, you would be quite prepared to allow them to have licenses; is that so?—No, I should not

7691. Then you are in favour of two systems, one, a monopoly, and another, free trade?—No, I am only in favour of one, with reference to compulsory pilotage.

7692. What is the number of examinations you have to undergo before you can be qualified as a pilot?—We have to show that we have been in command of a vessel for three years.

7693. On showing that, you are immediately placed in charge of vessels as pilots, whether you have been up and down the channels or otherwise?—No; we have to be examined in nearly 200 bearings of different objects, and to show that we have a perfect knowledge of them.

7694. Who examines you?—A Master of the Trinity House.

7695. Are they all nautical men?—Yes.

Mr. Frederick Augustus Castle, called in; and Examined.

Mr. *F. A. Castle.*

7696. Mr. *Brassey.*] I believe that since the year 1841 you have commanded ships of considerable tonnage sailing out of the port of London?—I have.

7697. And you have therefore had many opportunities of forming an opinion of the general conduct of the pilots, and the efficiency of the system of pilotage as it now exists?—I have had many opportunities of doing so.

7698. What has been your experience, as a general rule, as to the facility for obtaining pilots when at or near their cruising station off the Ness?—Excepting on one or two occasions, I have never had cause to make a complaint. I have come into the Channel with ships drawing 25 feet of water. I have run up with perfect confidence when it has been blowing a gale of wind, knowing that when I got near the cruising ground I was almost sure to get a pilot. If I had not had that confidence, I should have hove-to in broader waters till the weather cleared.

7699. When pilots have boarded the ship in which you have been in command, I believe you have found them efficient in the discharge of all the duties devolving upon them?—Yes; I have, on one occasion only, many years ago, in the year 1842, when I first took the command of a ship.

7700. Since the date you speak of, the examination of pilots has been much more stringent, has it not?—Yes; they appear to be a superior class of men in the last 15 or 20 years.

7701. Do you consider that the duties of the pilots require that they should be thorough seamen, and competent to work a large ship in all the various evolutions required by the navigation of our narrow waters?—Yes.

7702. And you therefore consider that those duties can never be satisfactorily discharged except by a man who has had considerable experience in the command of a square-rigged ship?—No man ought to take charge of a ship, more particularly in the waters from the South Foreland, without he is a thorough practical seaman, otherwise he would undertake a duty which he was not capable of performing.

7703. You

7703. You require, for the time being, as much seamanship in a pilot as you do in the masters of vessels?—More so, I think; a pilot has to navigate the ship through narrow waters, whereas, till the ship comes there, there is no occasion for a pilot. The captain is in broad water, and he can get observations daily; the ship may be going a little wrong from one noon to the other, which is able to be corrected; but if the pilot of a ship goes wrong for five minutes he may lose life and the ship too.

7704. It requires special care?—Yes.

7705. You think that no man should be allowed to become a branch pilot until he has passed the Board of Trade examination for chief mate?—Yes; by his doing that he has proved himself capable of working a ship in all the evolutions a ship has to go through; it is only by practical experience that a man can do it.

7706. All the pilots you have employed in approaching the port of London have possessed the qualifications that you consider essential, have they not?—Yes, I have never had cause to find fault; I always consider it my duty to be wary and on the look out; in the event of observing anything I might fancy would tend to danger, I bring it under the pilots' notice, and I have found that they immediately take notice of it, and if it is necessary to make alterations they do so. I never found them at all at variance with me in my opinion in doing what I considered necessary.

7707. We may infer, therefore, that from what you have seen of the pilots employed under the Trinity House at the station off the Ness, they are men who, if they had remained in the merchant service, would have had a fair prospect of promotion to the command of merchant ships?—Yes, I do. Take myself, for instance. In the year 1841 I was a young man and I commanded a ship, and I have gradually worked myself up till I have a few ships belonging to myself, whereas a man leaving the merchant service and going to be a pilot has to be contented with a stipulated salary.

7708. He may rise if he continues in the merchant service?—Yes; it depends upon a man's connections.

7709. Do you think that under the proposed change of the abolition of the system of compulsory pilotage there is a danger of incurring loss of life and property?—I would not say it is certain, but I should think there probably would be an increase both in the loss of property and life; it is almost a certainty.

7710. You think that ships will in many instances fall into the hands of inexperienced men, some of whom may not be over-scrupulous as to what difficulties the ship may get into, and therefore you will be liable to dangers which you have not now to fear, because the pilots you now employ are men of responsibility, who have their reputation at stake?—No doubt of it. We are all pretty well aware of what boatmen are if they can get the opportunity; other people's misfortunes are the boatmen's advantages. I do not say that they take advantage of them, but those who go to sea see wonderful things. In my short career I have been on one or two arbitrations, where I have proved beyond a doubt, from boatmen who have been examined on oath, that it was their fault that ships have been led into difficulties and put into Ramsgate Harbour from the vessel having a boatman on board instead of a pilot.

7711. You think many men who would present themselves to discharge the duties of pilot would be more interested in the salvage of the ship than the pilotage?—Yes; it is the same as putting a seaman in charge of a ship instead of yourself, if you take a boatman. The men are sharp fellows in a lugger, but they are not fit to be masters of a ship. You might as well take one of your seamen and put him in command of the ship; and why should you put a boatman in comparison with a pilot any more than you should a seaman?

7712. Do you consider that the employment of a tug does not lessen the necessity for the services of a pilot?—Not the slightest; on the contrary, I think it increases the necessity for having a pilot.

7713. In the event of a gale coming on, when the ship is in tow of a tug, would it not be extremely dangerous for the master to try to dispense with the services of the pilot, and proceed up the river by himself?—Yes. If the captain of a vessel coming to Dungeness takes a steamboat instead of a pilot, he has got a boat that will tow him to a certain distance; the tide and wind may change; the tug hails him, and says, "I cannot tow you any further; my coals are gone"; he lets go the warp, and the ship has to anchor, and the tug goes in-shore for coals, or for other purposes. During the night a gale of wind comes on, and the ship, instead of being under a weather shore, is under a lee shore; a gale comes on, and he slips his anchor; what is the captain to do, in narrow waters; how can he get the ship out; it is a certain loss of the ship, and all hands on board. If the pilot is on board, he knows the lights, and he can box the ship about till he gets her into the North Sea, and the ship is safe.

7714. All this is not imaginary?—No; I have had a ship with 24 feet of water, the "King Lear;" we were brought up, and the wind changed round in the night; it came on to blow the next morning; we got the two tugs, and in getting our anchor we broke up our windlass; had we not signalled for another boat the ship would have been lost; had I not had a pilot I should not have known what to do, and I was as glad to have a pilot on board that day as any man would be on being saved from death.

7715. With regard to the point of law of the liability, in the case of collision, or rather the sum to be paid for damages, do you think that that liability should be paid by the owner of the ship in fault?—The ship in fault is like you running against me; I look upon the person who causes the accident to be the liable party.

7716. Do you think that the damage should be paid by the pilot, or by the underwriters?—If the other ship is in fault, the man who is in fault ought to pay. But all these damages, except they amount to an average, are settled by the pilot, but if they amount to an average, they come upon the underwriters.

7717. Mr. *Wykeham Martin.*] The ship is exempt if it has got a pilot on board in compulsory pilotage water, is it not?—If the damage is so much that the pilot cannot meet, it falls upon the underwriters.

7718. I think you are wrong?—I admit that the underwriters are willing to get out of the risk as well as they can, but they will take the premium, and it is a matter of argument afterwards as to the liability. If my ship was coming up and had a pilot on board, and was run into and sunk, I should claim from my underwriters, and they would have to pay.

Mr. *F. A. Castle.*

17 May 1870.

7719. Mr. *Brassey.*] When a ship arrives off a port, and wants a pilot, practically the owner of that ship has no power of selecting the man that he himself would prefer, he is glad to take the first pilot on turn?—The owner is in London, and supposing a ship arrives at Dungeness at 2 o'clock in the morning, and has made a quick passage, the owner does not know that the ship is there; how can he arrange for that? Now going down the river, every shipowner has his own particular pilot; either from connection or interest, or from having a better opinion of his abilities. In London a man knows when his ship is going away, and he can apply to a man to take charge of her.

7720. And whether the system of pilotage be voluntary or compulsory, a ship inward bound from a long foreign voyage, approaching the port of London, must necessarily take the pilot who offers himself in turn, it being impossible for the owner to anticipate the arrival of the ship, and send down a man of his own selection to meet the ship?—I do not see how he could do it, unless he sent a man down to wait for it, he may have to wait a month; it is no use a man being on shore, if he is, the captain must heave-to his ship off Dungeness, and send a boatman on shore, and say, "You go to such-and such a house, and get Mr. Johnson who is waiting there, to pilot my ship." How is he to know that the pilot is there, when he has been away two or three years.

7721. Under such circumstances it is better for the owner to place reliance upon a man selected and examined by competent pilotage authorities, rather than attempt to select a man for himself?—Yes. When a pilot comes on board a ship, the captain says, "What is your name; are you a branch pilot?" He asks to see his certificate to know whether he is a branch pilot, which he is ready to show.

7722. Having reference to the nautical necessities, you cannot defend the rule in law, that the ship in case of collision is absolved, because she is in compulsory pilotage water?—No. In nine cases out of 10 a ship gets into a difficulty by accident, not by any neglect.

7723. Mr. *Gourley.*] Who do you think ought to have the charge of the ship when the pilot is on board; the pilot or the master?—I consider that for the actual practical working of the ship, common sense would dictate that the pilot is the responsible man, although the master ought not to consider that he has thrown up all charge when a pilot is on board. He ought to have a watchful eye over him. He is the agent of the underwriter, and it is his duty to his owner to watch everybody on board the ship, and nothing ought to take the responsibility of the ship out of the captain's hands.

7724. When a pilot is on board a ship, does not he always give the word of command?—On board a man-of-war the pilot says to the officer in charge, "She will go about, sir," and it is done; but in the merchant service we have confidence in our pilots. If the captain says, "I will work the ship, as I know how she will answer her helm better than the pilot," the pilot says, "Very well;" but the pilot generally does it himself.

7725. The primary object of having a pilot on board is merely to point out the dangers of the navigation, is it not?—Yes, that is it.

7726. Not the steerage of the ship?—The steerage is the thing that would run her into danger; the pilot gives the course to the man at the wheel.

7727. The steerage has nothing to do with the danger the pilot has to point out; if a pilot is to point out the danger he must have a certain amount of command on board the ship, must he not?—He does have a certain amount of command; for instance, in coming through the south channel there is a tide setting right across the channel; there are two dangerous sands there, and of course a captain could not steer a ship through them; he does not know the cross set of the tides as well as the pilot.

7728. In such a contingency as that, you would give the pilot charge of the ship, would you not?—The pilot has the charge of the ship, but the captain keeps an eye upon him.

7729. You cannot have two masters on board the same ship?—You do not give the entire charge of the ship to the pilot.

7730. If you are upon the poop, and you have a pilot with you, the pilot gives the word of command, and you do not interfere with him; is not that so?—Not as long as he is going right; you keep an eye upon him, and if you think anything is going wrong you suggest it to the pilot; you know that the man is a respectable man, and that he comes there not to put you into danger, but to put the ship in safety.

7731. If the master is to be to some degree responsible for the navigation of his ship in pilotage waters, would not it be better to permit the master to take a pilot, or dispense with him according to his own pleasure?—That would depend upon circumstances; if you are a shipowner you know that there is no property in the world subject to so many circumstances as shipping; such as the changes of wind and tide, gales, and the extraordinary conduct of seamen, and all those things.

7732. In all those changes, would you consider yourself competent to take the command of your own ship, and navigate her through the most difficult waters with the assistance of charts?—No.

7733. Would you be able to navigate her with the assistance of your sailing directions?—No, not up the River Thames from the Gull Light.

7734. Could not you yourself, as a nautical man, work a ship up the estuaries of the Thames without the assistance of a pilot?—Not unless I had studied and had undergone an examination, and had gone through the practical part of that particular branch of my duty, and felt confident, from having passed a proper examination at the Trinity House, that I was morally fit to do it. Though I have taken ships through every nook and corner of the world I have been into, yet I would not attempt the River Thames.

7735. Do you consider the River Thames more dangerous than other places?—No; I do not consider it more dangerous than the River Hooghly.

7736. Do you consider the Thames more dangerous than the Mersey?—Yes, I do; there are more intricacies in the channel, although the tide does not run so strong.

7737. Sir *C. Wingfield.*] You say that you consider the Hooghly a very difficult river?—Yes.

7738. Are you aware that 20 years ago the Government discontinued compulsory pilotage there, and gave certificates to any man who could

Mr. *F. A. Castle.*

17 May 1870.

could pass the examinations?—It is not 20 years ago. There has been more damage in consequence of some of these young men getting charge of the ships than ever there was before. It is very seldom you hear of an experienced pilot getting into difficulty in the River Hooghly; and in nine cases out of 10 where vessels get into difficulties, it is from an inexperienced pilot being on board.

7739. I have had some experience of the river, and I have never heard, since the change in the pilotage system, that the accidents were more frequent in the Hooghly than before?—I think they have been.

7740. At all events, the Government have shown no inclination to go back to the old system?—What can more prove the necessity of having good pilots than this: you go to the pilotage office at Calcutta, and a man is appointed to you; you look at the name, and you know that he is a junior man; you immediately ascertain if any branch pilots are at home, and if so, you go to their house and say, "I should like you to take me down"; the man says, "I do not want to leave my family"; you say, "I will make it all right," and you give 500 rupees to get a good man.

7741. *Chairman.*] Why not give him the extra sum?—We do; and every ship of any draught that comes to Calcutta does it.

7742. Sir *C. Wingfield.*] Does it not happen in any body of men that some are better than others, and if people can get the services of those they specially like they will try and do so?—Yes.

7743. That does not affect the system; it would exist equally under any system; some would be more preferred by the shipowners than others?—Perhaps it would be so; no doubt in coming into the channel, if we could get a particular man who has been with us before, we would place more confidence in him from having an actual knowledge of him.

7744. *Chairman.*] Have you had any experience of ports where pilotage is voluntary?—I have not had a great deal; I have always sailed out of the port of London.

7745. You do not know much of the north channel of the Thames?—I know a little.

7746. You are not able to form an opinion as to how far voluntary pilotage has succeeded in the north-eastern parts?—No.

7747. And you have not been able to make any comparison between the system of compulsory pilotage and the system of free pilotage?—No; not to compare the two.

Mr. Henry Tillman, called in; and Examined.

Mr. *H. Tillman.*

7748. Mr. *Brassey.*] I believe you have had for many years command of ships trading to the port of London, and elsewhere?—For 25 years.

7749. And in approaching the port of London in command of ships, have you, on all occasions, been able to procure a pilot from the vessels stationed off Dungeness?—Yes, with perhaps one or two exceptions, and that was my own fault in keeping too far off the cruising ground, on account of the wind being scant.

7750. At the same time, in very stormy weather, I suppose it would be impossible for a pilot to board a ship off the Ness?—I have run up in the winter time in some very heavy gales of wind, and I never missed in all that time getting a pilot; in the summer time I do not care so much.

7751. Have you ever known any instances of boatmen presenting themselves, and offering their services to act as pilots?—Yes, many a time; and I have been led into danger by them if I had taken their advice; I was misled once in the transport service with women and children on board; if I had taken their advice I should have gone on shore and gone to pieces during a thick og.

7752. Do you think that if compulsory pilotage were abolished much loss of life and property would ensue?—Most certainly it would.

7753. And partly in consequence of the misconduct of these irresponsible persons, who might, if compulsory pilotage were abolished, and the system were less complete than it is now, present themselves to undertake the duties which now devolve upon experienced pilots?—Yes.

7754. When a shipmaster has been absent from this country on a long voyage for some months, do you consider that a pilot is essential to him on approaching the Downs?—Yes.

7755. He cannot know the large fleets that may happen to be in the Downs; he cannot know the position of the ships at anchor, and the sands which have shifted from time to time with the action of the tide; all these important changes require the assistance of a pilot?—Yes; there are many cases where a man has been on his passage for three or four months; he has seen nothing but the horizon, and when he comes into narrow waters he is not a good judge of distance, on going into the roadstead, in bringing a ship to anchor; many accidents happen in going into a harbour from the bad idea captains have of distance, having been for so many months accustomed to a large range of water.

7756. And that peculiar difficulty makes a pilot especially necessary for the safe navigation of large ships in narrow waters?—Yes.

7757. If the pilots were no longer employed as much as they now are in fine weather, do you think that you could reasonably expect to find the pilots as invariably at their stations in stormy weather as you do now?—I do not think you could.

7758. Do you think that in stormy weather you would suffer in consequence of not taking them in fine weather?—Yes, as a rule. I have had an interest in the ships for 20 years which I have commanded, and I have made a rule in fine or thick weather to take them, so as to encourage them in fine weather to look out in bad weather.

7759. Even when you were not bound to take them?—Yes.

7760. You did that in order that you might contribute, as far as in you lay, to maintain a thoroughly complete and efficient service at all periods of the year?—Yes.

7761. *Chairman.*] What port do you refer to?—Leaving London. I have taken a pilot upon the pilotage ground up to the Downs; if I am leaving in the summer time I do that. I have taken one in the winter down to the Isle of Wight, or Beachy Head; and in bad weather when we have had gales of wind, and in the summer

Mr. *H. Tillman.*
17 May. 1870.

time when we have had fogs, I say, "Now you must have the sweets as well as the bitters, and I will take you down now."

7762. Did you pay them more for taking them that distance?—Yes, certainly, according to a regular scale, according to the Trinity House schedule.

7763. Mr. *Brassey.*] If the present income of the pilots suffered any reduction, do you think the present state of efficiency could be maintained?—No.

7764. Do you think they are not paid more than they ought to be for the important services which they render to shipping?—I do not think they are.

7765. Do you think it wise to insist that the pilots of the Thames should have served as masters of merchant ships before they became pilots?—Yes; they ought to be efficient in every way to work and manage a ship.

7766. The manœuvring of a ship becomes an operation of a special difficulty in the narrow channels which the pilots have to navigate?—Yes.

7767. Is it your opinion that the station off the Ness is the very best that could be selected for the pilots to board inward-bound ships?—Yes.

7768. If you were to change the station, and the cutters were to cruise off Beachy Head, do you consider that it would not be so convenient for boarding inward-bound vessels?—No, for this reason; that off Beachy Head you could not get into smooth water in heavy gales in the winter time to get pilots on board. At Dungeness you have smooth water to get the pilots on board; at Beachy Head the channel is about 40 miles wide.

7769. If the system of compulsory pilotage were abolished, do you think that the cruising system could be maintained in its present efficiency?—No.

7770. Do you apprehend that in consequence of the diminished number of pilots which would follow from the abolition of compulsory pilotage, many valuable vessels would sometimes be placed at the mercy of the hobblers, who cruise about to get employment as pilots?—Yes, that would increase very much, if compulsory pilotage were done away with.

7771. You think that in bad weather these men would expect to make a fine harvest from the salvage services which they would render to shipping?—Yes; no doubt of it. That has been well known as long as I can remember.

7772 Do you think that the difficulties attending the navigation of the southern channel of the Thames are far greater than those of any other port of the United Kingdom?—I cannot say; I should say it was as difficult as any. I consider that it is certainly more difficult than the Mersey.

7773. *Chairman.*] Have you had any experience of the Mersey?—Yes.

7774. Do you think the Thames is more difficult of navigation?—Most decidedly; there is no question about that.

7775. Sir *H. Selwin-Ibbetson.*] Have you greater facility for anchoring in the Thames than you have in the Mersey?—The only difficulty in the Mersey is in crossing the Bar, and then you are in safety, as far as life is concerned.

7776. In certain winds the Mersey is not a very pleasant coast to be on, is it?—No, nor are certain winds in the English Channel at Dungeness, to my knowledge.

7777. Mr. *Brassey.*] Does the practice of employing a tug, in your judgment, obviate the necessity for the employment of a pilot?—I would not allow a tug for any vessel that I had any interest in without a pilot on board; nautical men could never bring forward a theory like that that could be carried out in practice.

7778. Will you just illustrate your view, with reference to what might arise in the event of a gale coming on, in the case of a vessel in tow of a tug?—Suppose you are going up a channel which you are not conversant with, and you trust to a man who is 100 fathoms ahead of you with a rope; if the rope breaks before your anchors are let go you are on shore; the man will not tell you of the danger; he is your pilot; just as you got into danger he might cut the hawser and say it broke; then you are ashore and lost.

7779. In a channel like the southern channel of the Thames, the distance over which the pilot service is required is very considerable, and it would be impossible for any master of a ship to form any idea, on approaching Dungeness, what weather he might anticipate before his voyage was completed to Gravesend?—No.

7780. If a man relied upon the appearance of the weather off the Ness, and therefore effected an economy by refusing to employ a pilot, he might get into difficulty before reaching Gravesend?—It would be false economy.

7781. Mr. *Gourley.*] What do you mean by "hobblers"?—The boats that go about the Channel to pick up anything.

7782. Shipmasters generally in this country are sufficiently aware of the fact that the men whom you call hobblers are dangerous men to have anything to do with, and they avoid them, do they not?—Yes, I have had them on board; they come on board a ship now and then; they are very useful for taking letters on shore.

7783. Their primary use is to take pilots and letters on shore, is it not?—Yes.

7784. I suppose no master would entrust his ship in their charge?—It is done now and then.

7785. Mr. *Wykeham Martin.*] Do not they take them to help the ship if she is short-handed?—No doubt, if a ship comes home with seven or eight men sick, the captain would take them to help to work the ship.

7786. Mr. *Gourley.*] Are you of opinion that steam-vessels cannot safely navigate in the Thames pilotage channels without pilots?—If a captain has passed the examination as pilot, he can do so.

7787. You mean, if he has passed his examination as a seafaring man?—He must have a knowledge of the channel.

7788. That, I apprehend, he could procure in the course of one or two trips?—I rather doubt that.

7789. How often do you suppose a captain should navigate the Channel before you would consider him sufficiently capable of taking charge of a ship without a pilot?—It is rather a difficult question to answer. Some people have greater observation than others; one man might learn as much in a twelvemonth as it would take another three or four years to learn; but a man of ordinary capacity ought to be a pilot for the river in a steamer in six months.

7790. In that case, would you exonerate the masters of steamships from taking pilots; would you leave it at their option?—If they are properly qualified, I would do so.

7791. Would

7791. Would not you leave the masters of sailing ships to their own option as to whether they would take pilots or not?—No.

7792. Do not you find a large number of sailing ships navigating the Thames, and the approaches to the Thames, without pilots; in the case of colliers travelling to the westward, none of the masters carry pilots, do they?—No; they are up and down the channel every fortnight.

7793. Even on the first trip they are not bound to take a pilot, are they?—They must have some one on board to show them the channel, because I will defy anybody to go up and down the Thames on his first trip without having a knowledge of it.

7794. Could he not do so with the assistance of the charts and sailing directions?—No; if a ship is going, six, seven, or eight miles an hour, how can a man look out for the buoys; while he is looking for them on his chart, he would be on shore.

7795. All masters are sufficiently prudent, are they not, to drop the lead before they come near the banks?—Yes; but you must remember that some of these channels are not an eighth of a mile wide.

7796. You can work in the eighth of a mile, cannot you?—You will have to make these men, they are not in existence; if you say that a man can go up the Thames the first voyage without a pilot, I should like to see him do it.

7797. I said that captains of colliers did do it?—They have been working up and down the river for years and years, as mates and boys, in colliers, and then they get the command.

7798. With an ordinary knowledge of navigation, would you consider that the captain of a ship is quite competent to navigate his vessel to and from London?—But how long is he to be away from London? A man that goes backwards and forwards every month ought to know the Channel well; if he only goes up and down once or twice a year, he cannot do it.

7799. Sir *C. Wingfield.*] Do Thames watermen ever take vessels down to the Downs, or bring them up from the Downs?—Some of them do in ballast; but I have never been in a ship which has had a Thames waterman on board, except for running out ropes on arriving at the docks.

7800. As a rule, they do not come down as far as the Downs, do they?—I never heard of them.

7801. *Chairman.*] What class of vessels have you been in the habit of commanding?—I have commanded ships of all sizes, from 1,000 tons to 1,200 tons, in troop service and transport service.

7802. Not under one particular owner?—No, in all parts of the world. I have generally an interest in the ship I command.

7803. I understood you to say that you generally took a pilot further than Dungeness, Beachy Head, or the Isle of Wight?—Yes.

7804. And of course you have to pay extra for their services?—Yes, according to the scale of prices.

7805. Is that a common practice?—It is not a common practice.

7806. Still, a considerable number of owners of vessels do it?—A great number of ships embarking passengers or troops at Southampton or Portsmouth take a pilot.

7807. They think that for the general security of the vessel, it is well to omit no precaution, and they take a pilot even beyond the compulsory district?—Yes.

7808. I understand you to say that you have done it in fine weather, though their services were not immediately required?—No.

7809. On the ground that you do the same thing in bad weather, you thought it fair that they should have a turn in fine weather as well as in bad weather?—Yes.

7810. In coming up the Channel, do you often take a pilot at the Scilly?—Never.

7811. Do you take a pilot higher up the Channel?—No, I have never taken a pilot yet till I have got to Dungeness, because I consider myself quite competent to take a ship in any weather as far as Dungeness.

7812. Have you any experience of ports where pilotage is voluntary?—No; not of the English ports.

7813. You have no knowledge of the extent to which pilots are voluntarily employed by vessels in English ports?—No.

7814. Have you formed any opinion with regard to the extent to which the employment of pilots will fall off if the Bill is passed?—I do not think that you will get the same class of men.

7815. What I want, in the first instance, to know is, whether you have formed an opinion as to the extent to which you think the employment of pilots will fall off?—I think their employment will fall off, because in the summer time, in fine weather, the men will not meet with the same employment as they will in the dark winter nights, when they will be wanted.

7816. Do you think that most vessels will employ pilots in the dark winter nights?—Yes. they will be glad to get them.

7817. I may take it also that you think, from your experience, a great many captains, who employ them in the dark winter nights, will employ them in the fine summer days?—I generally take a pilot at Dungeness; I always take one, winter or summer.

7818. I understand you to say that vessels would take pilots in dark winter nights?—I believe they will.

7819. You have told us already that you yourself take pilots when you do not want them to ensure getting them in the winter months?—Yes.

7820. Will not the same influence be brought to bear upon the employment of pilots generally, if this Bill is passed?—I allude to the distance between Dungeness and the Isle of Wight.

7821. Where the pilot is very little wanted?—Yes.

7822. If you are ready, though you do not want a pilot, to employ a pilot from Dungeness down to the Isle of Wight in the summer months, because you employ him in the winter months, will not the same influence be exercised for the employment of pilots from Dungeness upwards?—There is a difference of opinion about that; in giving my opinion about taking a pilot down to the Isle of Wight, a great number of owners will not approve of it.

7823. But, judging from your own experience, what would you say?—It does not rest with the captain of a ship as to the employment of pilots.

7824. You have served under a great number of owners?—Yes; but I have had an interest in the ship, and I have not been under their control entirely.

7825. You have not been manager of the ship?—I have always fitted the ship out myself.

Mr. *H. Tillman.*

17 May 1870.

7826. You have not been the managing owner?—No, I have been the sailing owner.

7827. But the managing owner is at home?—Yes.

7828. Have you found any difficulty in making the owner pay for the pilotage?—No; I have never had a bill disputed because I have had an interest in the ship myself; but a great many would dispute it if I had not this interest.

7829. In your opinion, you think that the greater proportion of vessels will continue to take pilots?—Yes.

7830. You believe that all the higher class of vessels will continue to take pilots?—Yes.

7831. What leads you to believe that the pilots will fall off?—My opinion is that we shall not have the same class of men, and that their employment will fall off one-third or one-half by opening the service.

7832. Are you seriously of opinion that the employment of pilots in the south channel of the Thames will fall off, and that it will be a third less than it is now?—I do; I say that that is my opinion.

7833. Is that with regard to the employment of pilots?—Yes.

7834. Your opinion is that two-thirds will continue to get employment as they do now?—I believe it will be less, because large foreign-going ships must take pilots under any circumstances.

7835. You think that all long-voyage vessels must take pilots?—Yes.

7836. And all foreign vessels that come to a port for the first time must take pilots, must they not?—I suppose they will.

7837. Are you aware that all foreign vessels take pilots when they come by the north channel, though they are not bound to take pilots?—No, I do not know that.

7838. You think that all foreign vessels will employ pilots?—Yes, excepting those vessels from the adjacent coasts of France and Holland, who are constantly trading to London.

7839. And all long-voyage vessels?—Yes.

Mr. Thomas Ralph, called in; and Examined.

Mr. *T. Ralph.*

7840. Mr. *Brassey.*] How long have you been a pilot under the Cinque Ports and the Trinity House?—Twenty-seven years next October.

7841. Do you hold your original license?—Yes.

7842. Did you serve a kind of apprenticeship in the pilotage service?—Yes.

7843. Under different regulations from those now in force?—Yes.

7844. What were the regulations under which you served your apprenticeship?—The first three years after being licensed I was not allowed to take charge of vessels drawing more than 11 feet 6 inches of water. After that I was allowed to take vessels drawing not more than 14 feet for two years more; 17 feet for two years more; making in all seven years; then I was subject to re-examination, and if approved of, I was allowed to take ships and vessels of any draught of water.

7845. Has there been a reduction in the rates charged for pilotage since you have been in the service?—Yes.

7846. What was the extent of that reduction?—Since the amalgamation of the Cinque Ports with the Trinity House there has been a reduction of 8½ per cent. to equalise the rates up and down the river; there used to be 8½ per cent. more pilotage for taking vessels up the river than taking vessels down the river. In addition to the 8½ per cent. that was taken away, there was another 10 per cent. additional, with 25 per cent. further additional for vessels towed or propelled by steam; that is 43½ per cent. in the whole has been deducted from the rates which I was entitled to receive under the Cinque Ports pilotage jurisdiction.

7847. And in spite of this very large reduction in the rates charged for the pilotage, you continue to pay the same dues as you formerly did under the Cinque Ports?—Yes.

7848. I believe the cutters at that time belonged to the pilots themselves?—Yes.

7849. What were the profits you were receiving from the earnings of the cutters when they were taken from you?—After the disbursements were made for sailing, navigating, repairs, and such like, of the cutters, we received, on the average the sum of 33 *l.* a year for the last five years; sick or well, it averaged that from the time I first entered the service.

7850. By the change made in 1854, when the cutters were taken from you, you suffered some loss of income from that change, I believe?—Yes, from 33 *l.* to 31 *l.*, when sick or incapable to do duty.

7851. £. 2 a year?—Yes, 32 *l.*

7852. Each individual pilot made from 31 *l.* to 33 *l.*?—Yes.

7853. What was paid to each pilot when the cutters were purchased by the Trinity House?—Nothing at all. There was 3,000 *l.* handed over by the Board of Trade to the funds of the Cinque Ports, but nothing whatever was given to the pilots personally.

7854. Do you think that the pilots suffered a substantial loss?—Yes, by cutters, sick allowance, and others superseding us in pilotage before seven years' service in smaller vessels, as we were bound to do under the Cinque Ports.

7855. What has been the amount paid by you for dues on your earnings?—The total amount paid in dues under the Cinque Ports was 119 *l.* 18 *s.*, being 11 *s.* dues upon each turn that I took; that is, from the time of my entry up to the transferring of the Cinque Ports pilots to the Trinity House. Then, since I have been under the Trinity House, I have paid 254 *l.* 2 *s.*; but had I been a Trinity House pilot, I should only have paid 116 *l.* 0 *s.* 6 *d.*; but through the change that was made, I paid over and above my brother pilots holding different licenses, the sum of 138 *l.* 1 *s.* 6 *d.*

7856. What are the benefits that you have in prospect arising out of these payments?—The prospect I have, if I live, is that of superannuation. When I am rendered incapable of performing my duty, I shall have 50 *l.* a year from the superannuation fund.

7857. And what will your family receive?—My wife, if I should die, would receive 12 *l.* 12 *s.* a year.

7858. That is all you will get for these payments?—That is all I shall get.

7859. Mr. *J. S. Hardy.*] I thought you said something

something about 143 *l.* ?—It was commonly called death money, and it is so to this day. We used to pay that under the old rule. A Return was moved for in the House of Commons by Lord Chelsea. It appeared that the average number of deaths for a considerable number of years was about 4⅛ per cent., which was 4 *l.* 2 *s.* 6 *d.*, which each pilot had to pay upon the death of a pilot in the Cinque Ports. That came to the wife, or children, or nominees, or representatives, whoever they might be.

7860. Mr. *W. Martin.*] Does it go on still?—On the amalgamation of the Trinity House with the Cinque Ports, it was increased to a fixed sum of 6 *l.* a year.

7861. Mr. *J. S. Hardy.*] Is a pilot able to leave that to anybody?—It goes to his wife, or family, or representatives; a man can leave it to whom he likes.

7862. Mr. *W. Martin.*] Can he leave it to a stranger?—Yes. This is a sum derived at the death of a pilot by paying 6 *l.* a year.

7863. Mr. *Brassey.*] I believe there is an accumulation of 90,000 *l.* in the hands of the Trinity House for the benefit of the pilots?—Yes.

7864. What interest have you in that large sum, except the right of receiving the annuity of which you have spoken?—In the Blue Books I have in my possession, it is fully explained, that at the time of the amalgamation there was handed over to the Trinity House a considerable sum of money.

7865. What Blue Books do you refer to?—The Returns ordered by the House of Commons to be printed every year.

7865. *Chairman.*] The Trinity House having had a sum of money which is due to you, you think that you have a special claim against the Trinity House in respect of this money?—Yes.

7867. It is altogether a separate question?—No; it cannot be a separate question.

7868. You think the opportunity of abolishing compulsory pilotage is a good one for raising that question?—No: I would rather compulsory pilotage be where it is; I cannot see what benefit its abolition can do.

7869. Supposing we took that opportunity of setting right the little grievance which you have against the Trinity House, what would you say to that?—I should be a traitor to my brother pilots if I were to come up to say one thing, and then say another.

7870. All the Cinque Ports pilots are in the same boat, are they not?—No; there are two distinct classes.

7871. How many are there in the first class?—Twenty-seven of the Cinque Ports pilots reside at Deal.

7872. About what number is there altogether?—There are 70 of us altogether of the old class at Deal and Dover.

7873. It is the old Cinque Ports pilots who have got a claim against the Trinity House?—Yes; we look upon these funds as belonging entirely to the Cinque Ports pilots; we have a right to say something about it.

7874. You are in the minority, are you not?—No; we are in the majority.

7875. What would be the pension you would be entitled to when you are superannuated?—£. 50 a year; we have always enjoyed 50 *l.* a year under the Cinque Ports.

7876. What is your present income under the system of compulsory pilotage?—I have got a copy of every farthing I have earned.

7877. What has it been for the last three years?—£. 261 11 *s.* 10 *d.*, 325 *l.* 4 *s.* 4 *d.*, and 339 *l.* 14 *s.* 8 *d.*

7878. When you are superannuated you will only get 50 *l.* a year, subject to a deduction of 6 *l.* a year?—Yes.

7879. So that you will only get 44 *l.* a year?—Yes.

7880. You are not a very young man now; how soon may you expect to be superannuated?—Old as I am, I should be very sorry for anyone to say to me on board any ship that I was getting old as far as my duties were concerned.

7881. I presume a great number of years will not pass by before you come to the time of superannuation?—That always depends upon whether a person is thrifty or not.

7882. Is there any fixed age?—No.

7883. What is the average age at which men are superannuated?—It varies according to the constitution of the men; some have been superannuated at an early age, and some are now on duty over 70 years of age, and performing their duty as well as if they were 20 years younger.

7884. Are there not a certain number of men, somewhat about your standing, who, if this Bill passes into law, might not be rather tempted by larger superannuation than is now given, to retire from the service?—I am not in a position to answer that question; as I said before, I should be a traitor to those who sent me to London, were I to arrange any matters concerning monetary affairs.

7885. Does not the Bill offer you something; supposing, after a year or two years, it turns out that the employment of the pilots is not so considerable as it now is, is there not something in the Bill which would rather tempt men of your standing to retire from the service?—If there was nothing more tempting in my home than there is in that Bill as it stands at present I should never go to my home again.

7886. What do you object to?—I do not like the wording of it; seafaring people not brought up to college education cannot understand it.

7887. What is your objection to the compensation clauses?—I think the compensation clauses should give a guarantee to the pilots that if their incomes should be damaged by the passing of this Bill they will be compensated. There should be something more definite in the words than there is in the compensation clauses; I think that they should understand rightly whether or no they are to receive the compensation which they are led to believe they will receive under the provisions of this Bill.

7888. Mr. *Wykeham Martin.*] If the word "shall" is put in would that do?—"Shall" is the principle thing; seafaring people understand that.

7889. *Chairman.*] Your objection is to the permissive character of the compensation clauses, and not to the compulsory character; you do not object to the principle upon which it is framed?—I do object to the principle. Then with regard to the two years, a man with a large family would be utterly ruined if that is carried out.

7890. Do you think it ought to be one year?—I am satisfied that it ought not to be more.

7891. Do you think that in one year you could fairly tell whether the employment of pilots has fallen off or not?—I am not in a position to state that.

Mr. *T. Ralph.*

17 May 1870.

7892. What is your opinion?—My opinion would be that in less than a year we should see a vast falling off in our income.

7893. Do you think that you could fairly tell in one year what the falling off would be?—I could tell just as well in one year, as in two years. The first year would not be as large as the second year.

7894. Is there not a fear that it might fall off progressively, and that in the second year it might be worse than the first?—No doubt the second year will be worse than the first.

7895. But notwithstanding that you think you will be satisfied by taking the average employment of one year instead of two?—Yes.

7896. If that change is made, may not you be better satisfied with those clauses?—No; not as they are.

7897. I want to take your objections one by one; one objection is that there are two years instead of one; you want one year instead of two years?—Yes.

7898. What are the other objections; you told us of another, namely, the permissive character of the clauses, instead of compulsory, and you would prefer the word "shall," to the word "may;" what is the next objection?—It says here that "the Board of Trade may, if they think fit;" we do not understand that.

7899. You think that it ought to be "shall"?—I think it ought to be "shall."

7900. What further objection have you to the compensation clauses?—I think that the pilot in the passing of this Bill, ought not to have his income damaged.

7901. Do you think that the pilot ought to have secured to him, for the remainder of his life, the same income as he is now enjoying?—Yes.

7902. I want to know what your opinion is?—When you say for the remainder of his life, I might live to 73 or 74 years of age, and perform my duty.

7903. But you know that the average of men are not able to do that?—No; but some of our pilots work to a great age.

7904. The age of 70 is a very rare age for a man to act as pilot?—There are two or three pilots of that age at Dover.

7905. Do not the average men get superannuated before they are 65?—No.

7906. What is the average age?—Over 65.

7907. How many men are there serving over the age of 65; are there any?—Not many.

7908. Are there any?—I think there are six.

7909. Are there more than one or two?—There are six.

7910. I want to get an idea from you, what your view is with regard to the compensation you would be entitled to in the event of the Bill being passed?—It would be simple for me to dictate to the Committee.

7911. You complain of the clauses as they stand; what do you think ought to be done for you in the event of the Bill being passed?—If they were to receive about one-half of their earnings for life, I think that would do.

7912. Then you do not think it right to give them the full amount of their earnings for the rest of their life?—No; I do not think pilots would expect more, but I only say so as an individual. They might, or they might not.

7913. But the superannuation which you would be entitled to at present, as pilot, is very small?—Not the Cinque Ports.

7914. You are now making an income of 300*l.* a year, and whenever the evil day comes when you can no longer serve as a pilot, you will be superannuated; then you will only get a pension of 44*l.* a year?—£. 50 a year. There is no deduction; we pay a contribution of 30*s.* a quarter towards the 6*l.*

7915. Then you will only have 44*l.* a year?—A man can throw off the insurance, if he likes.

7916. We will assume that it is 50*l.* a year; you are now making 300*l.* a year, and after a few years you will only get 50*l.* a year; then I understand, upon that principle, you do not think, if compulsory pilotage is abolished, that those pilots who retire ought to have secured to them their present income for the remainder of their lives?—No, I do not think it would be just. I am not a pilot when I answer the question. I should say that the pilots could not expect the full pay up to the hour of their death.

7917. But you think that they ought to be entitled to ask one-half of their present pay?—I think that half of their present pay would be a just and fair remuneration.

7918. And you would be satisfied if the principal of the clauses was made compulsory instead of permissive, and if the superannuation given was half of the existing receipts or income?—Yes.

7919. And you think if that was offered to a certain number of the pilots, they would gladly accept it?—I must not say a certain number of pilots. I am here to answer for all; but as far as the Cinque Ports pilots are concerned, I am here to represent them.

7920. You think that that would be a fair settlement?—Yes. Shake me off from being a pilot, and let me come to give evidence, I should say so, as a private individual.

7921. As a private individual, you think that a certain number might be tempted to go off the list on that understanding?—Yes; it might be so, or it might not be so; I am here for all.

Friday, 20th May 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Graves.
Mr. Grieve.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcom.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. Pemberton.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., IN THE CHAIR.

Mr. JOHN TAYLOR, called in; and Examined.

Mr. *J. Taylor.*
20 May 1870.

7922. Mr. *Brassey.*] I BELIEVE you are managing partner in the firm of T. M. Mackey, Son and Company?—I am one of the managing partners.

7923. And you are therefore in that capacity interested in ships of a very large tonnage?—Yes.

7924. Will you state to the Committee what the tonnage is?—During the last seven years we have dispatched outward from the port of London over 200,000 registered tons of foreign-going shipping, conveying 28,000 passengers.

7925. And how much of inward?—Of inward we have had 233,000 registered tons of shipping, with about 2,500 passengers.

7926. That represents the total tonnage, in and out, of how much?—433,000 tons in seven years.

7927. I think you have been very fortunate in escaping loss of life and marine accidents?—We have been most fortunate. In conveying from Liverpool and London something like 150,000 passengers to Australia, we have not lost a single life by marine casualty.

7928. What is the tonnage of the shipping in which you are now interested as managing brokers?—The amount of shipping in which we are interested as managing brokers and owners is 50,000 registered tons.

7929. Do you consider that the entrances to the Thames are peculiarly intricate and dangerous?—I consider that the entrance to both the ports which we deal with, Liverpool and London, are particularly intricate and dangerous.

7930. And as dangerous, if not more so, than any other ports which the ships belonging to your fleet visit?—More so; and one great reason is, that there is greater traffic; we are more likely to come into collision with ships in narrow waters; and it is there that particular judgment is required.

7931. You think for the navigation of the channels of the Thames night and day peculiary competent pilots are required?—I think that we not only require competent men, but men who are continually navigating them, whose judgment is upon the *qui vive*, and who are smart. Our masters may be equally clever, but they cannot possibly have the same confidence in entering the port of London once in 12 months as a pilot who enters it every three or four days.

7932. And nobody who was not himself qualified to act as a master or mate of a ship would be competent to act as the pilots of vessels in navigating the approaches to the Thames?—I would say this, that although a master or mate of a foreign-going ship might pass an examination, I, as a shipowner, would not feel as safe with that man in charge of life and property as I would with a man who is almost daily passing through the waters; it requires judgment, and it is not the judgment of hours, but the judgment of moments; a man can only have that by confidence, and he cannot have that confidence if he is not continually passing through the waters he is navigating.

7933. Do you think that such an efficient and competent staff of pilots, as is required to clear the port of London, could be maintained upon the voluntary system?—Certainly not; the result might not be felt in the next month, or in the next twelvemonth; but that it would eventually be felt I am certain, and that we would have a less efficient class of men.

7934. If the compulsory pilotage system, which is now prevalent in the south channel of the Thames were abolished, you believe that from a gradual diminution in the service of pilots, increased dangers would accrue to shipping, especially to foreign ships?—That is my belief.

7935. Do you think that Dungeness is the most fit and proper station for the pilot boats?—I do.

7936. And that no change in the station of those vessels would be an advantage to the shipping?—We are perfectly satisfied with it as it at present stands.

7937. You have found from your large experience that, under the present system, the ships inward and outward coming to and from the port of London, are conducted with perfect safety by the present staff of pilots?—With perfect safety, and with a minimum risk.

7938. With regard to the amount of control which a pilot ought to exercise over the navigation of the ship when he is in charge of her; do you think that should be treated as entirely and exclusively responsible for the navigation of the ship?—Yes.

7939. And that all orders given by him should be obeyed with the same deference as the orders given by the master himself?—Yes, I do.

Mr. *J. Taylor.*

20 May 1870.

7940. Do you think if the voluntary pilotage system were introduced, that in fine weather masters of ships would be largely tempted to dispense with the services of the pilots?—I think many would, and therefore there would be an increased risk to life. I do not think any master can be as competent as a pilot, except in foreign-going steamers, where the captain of the steamer thoroughly knows what his own ship can do, and where he is in and out of the Thames once in a month or two months, I think that the master is as competent, if not more so, to manage his ship than any pilot in the service.

7941. If the voluntary system led to a diminished employment of pilots, in order to maintain the average earnings of the pilots, a very considerable reduction in the number would be necessary in order to preserve the same average income; is that not so?—I think you would find the effect both ways; not only would you reduce the number, but they would not get the same income, and you would get an inferior class of men; men would not follow it as a profession as they do now, feeling secure of a moderate competency.

7942. After a long prevalence of easterly winds, if the wind suddenly changes to the west it causes a large number of ships to come up together to the port of London; under these circumstances is the existing staff found sufficient?—Yes; that is the time every man is required. A ship comes up with the captain and master worn out in trying to make the land, and you want every man in the pilot service then.

7943. Therefore, if in consequence of the adoption of the voluntary system, the number of pilots would be diminished for the port of London, it would lead to very great inconvenience to the shipping, would it not?—It would lead to inconvenience and risk to life.

7944. Mr. *Price.*] Your opinion seems to be that the present system of pilotage in the Thames and Mersey is very satisfactory, and you are afraid that if the compulsory system were abolished, you might not maintain an equally competent staff of pilots?—That is my opinion.

7945. Is that opinion founded upon any experience of ports where the non-compulsory system prevails?—I do not think you can name a port where the non-compulsory system prevails which bears comparison to the port of London. I have had 25 years' experience of London and Liverpool. I have thoroughly watched the pilot service in all its branches in Liverpool. I know every master pilot in Liverpool perfectly, and I know the whole system of tug-boat working. Before I became a partner in the firm I am now in, I was a working manager of the largest tug company in England, and that brought me into daily communication with the pilots, shipmasters, and shipowners, and with the thorough working of the pilotage system of Liverpool. I had thorough and daily connection with them.

7946. I willingly accept your opinion with regard to the necessity of a staff of pilots, and I quite admit all the difficulties of the navigation, but I want to know the ground on which you form your opinion, that you could not have a good staff of pilots under the non-compulsory system?—In the port of Liverpool, with foreign-going ships such as I am interested in, where we have a lot of passengers, and where we have many men in our employ, four-fifths of the dangers of our Australian voyage are leaving the land, and making the land. I think there is only one-fifth of danger in a voyage of 14,000 miles comprised in the open sea. We have men in our service who, for a week before getting to Liverpool or London, will not have their clothes off; they are responsible for the whole navigation and control of the ship. It is essential to those men that they should feel that when they get into narrow waters, there is an efficient and competent man to take charge of the property. I do not believe that, with the large amount of tonnage and trade to the port of Liverpool and London, you would have such a staff to meet the trade of the port, except under the compulsory system. I speak from knowing the amount of tonnage that enters the port after the lapse of an easterly wind, and I also feel that a man cannot be too competent; he cannot have too much practice to take charge of the property of the port. I do not run down our captains; they are very competent; but you cannot look into your chart when you get into narrow waters, and a master ought to know intimately and instantly what orders to give.

7947. I accept your judgment unreservedly as to the facts incident, the dangers of navigation, and the necessity of pilots, but still I must ask you again why do you think you would not have pilots under the non-compulsory system?—For the very simple reason that I think demand begets efficient supply; and if you would only have an occasional demand, you would not have an efficient supply.

7948. It is the natural deduction from that argument, is it not, that the supply would always be as large as the demand?—No, for this reason: that these men are bound to be there, and they know, when they come there, they will be employed; but if the ships come up in fine weather half would slip past without a pilot, whereas in dirty weather they would take a pilot.

7949. I suppose if the number of passengers desiring to go to Australia were largely to increase the number of steamers, would increase in the same ratio?—There are certain compulsory points upon us in taking passengers to Australia. We are bound now to have our ships efficient in every way, and passed in many ways; there are plenty of points compulsory upon us in carrying passengers to Australia. If you took off the compulsory points and threw it open to the trade, no doubt people would take passengers for two or three pounds less than we do, but they would not take them so safely.

7950. Even without taking off the conditions of cubic feet of space to each passenger, and other things, do not you think that the passenger service would increase also?—No, you could not get the same efficient class of men; for instance, in the case of a regular trader bound to Sydney with a well-known master. The underwriters being familiar with the name, and that he goes between the two ports like a pendulum, and thus, by his knowledge, reduces the risk to a minimum, they take his name, to a certain extent, as a guarantee against the risk; but if a man is not accustomed to the port of Sydney, the risk of loss would be appreciated by the underwriters, and they would charge a higher premium. I look at it in this light, we are trying to do away with the risk to life and property. We may abolish compulsory pilotage if we want increased risk.

7951. We are in this condition, that we have an unlimited expansion of traffic, but we have an absolute

absolute limited means of carrying it?—No; I do not say that; I say that it will expand legitimately; it will expand by the people who have been accustomed to the business; it is not worth while for a man to be a pilot unless he knows it will keep him for life.

7952. Supposing your own regular steamers left behind them every time a considerable number of passengers that you could not provide for, would not you, as a man of business, put fresh steamers on the stocks?—I would put it a little broader than that; we fit out a certain number of ships under the compulsory system, with certain requirements which the Emigration Commissioners require we shall do; it would not pay us to do it for one voyage, but we do it because we know she will get the emigrants the next voyage. If you throw the compulsory points off, we should not fit up a ship if every man could come and oppose us. It is the same as a pilot who has passed through the service and learnt his profession. He knows that he has a certain income.

7953. You think that you have a practical monopoly of the trade in consequence of these compulsory restrictions?—No more than this, that other men must comply with the same restrictions.

7954. Do not they do so?—The demand for passengers is just the same as the demand of the ships for pilots; it fluctuates very considerably. We get the preference because we are obliged to fulfil the obligations. If any shipowner who has not fitted up a ship in a particular way were to come in, it would not be a fair competition, and it would throw a greater risk on the passengers.

7955. I want to know whether or not there are not at the present time, and whether there will not always be as many steamers sailing out of the Mersey and out of the Thames as will accommodate all the passengers who want to go, whether by an unfair or a fair competition?—There are times in Liverpool when there are so many passengers that they cannot get conveyance at Liverpool and Queenstown too, and it has been a frequent occurrence that passengers have waited at Queenstown before they could get a ship ready.

7956. Those are emigrants?—Emigrants are passengers.

7957. I speak of the regular trade, of which you have been speaking, the great passenger trade?—There is a great emigrant trade; we consider ourselves the great conveyors of labour to Australia.

7958. Is it now the fact that more steamers are wanted?—It fluctuates; at certain seasons of the year there are more passengers than steamers, and at other times of the year there are more steamers than passengers, just the same as there are sometimes more pilots than ships.

7959. On the average, does the supply equal the demand?—It grows gradually by degrees, it does not spring up like mushrooms.

7960. I do not expect a ship to be built in a day, or a pilot to be made in a day; I want you to tell me whether or not you have any reason to suppose that there will not always be as many passenger steamers as the number of passengers requiring accommodation; draw any deduction you like from it, but answer the question?—If any paying trade springs up, there will be persons to supply that demand; it depends entirely upon that.

7961. Why should there not be, as long as it is a paying trade, as many pilots as there are ships wanting pilots under a perfectly non-compulsory system?—Because, for the very simple reason, that you will not get men who will be pilots of ships the moment there is a demand; they would not go out in bad weather to look out for a ship when there is no pay at all.

Mr. *J. Taylor.*

20 May 1870.

7962. That is a gratuitous assumption of yours. There are men found to peril their lives at sea when they are paid for doing it; why should not pilots peril their lives the same?—It is not gratuitous. I was manager of a tug boat of the port of Liverpool; in fine weather they would go out, but in bad weather they would not. I had the control of them. It is not the question of safety of life; it is a question of making the tug-boats pay.

7963. Surely tug-boats would go out as long as people would employ them at a remunerative rate?—They would not go on a bad night, when there was the greatest risk; why should they?

7964. They would get better pay, would they not?—The pay did not compensate for the risk. The Liverpool pilots have to run many risks they are not paid for, taking the year round. It may pay, but you will not get men who would do it in foul weather if they could not also have the certainty of doing it in fine weather.

7965. It is not assumed, under the provisions of this Bill, that the pilots would not be subject to certain regulations; it contemplates still having licensed pilots, and they would be obliged to comply with the conditions of the service. Unless you suppose that a man cannot be found to serve as a pilot unless he is under the compulsory system, I do not see why, under the voluntary system, you have any reason to doubt there will be a sufficient demand, as long as the men find a sufficient remuneration?—If you pass this Bill, the men are not going to abandon their bread and butter to-day. I do not suppose you would feel any of its effects for a month or twelvemonth; but if you tell these men that they would not have a certain fixed income, then you would not have as efficient a class of men as you now have. I mean it would tend to deteriorate the service, and is very likely to do so.

7966. Do you do what some of the Liverpool steamship owners are in the habit of doing, namely, have so many pilots attached to your own ships?—No; and for this reason: that our vessels go on a twelve-months voyage, and I do not consider that a man would be worth twopence as a pilot after that time.

7967. He does not go the whole voyage, but he goes to Liverpool or Queenstown and stops there, and comes back with another ship; is that your practice?—No; we have three or four ships going together, and one man would be of no use to us. When the wind comes in from the westward, our vessels congregate three or four together; we would do everything we could to maintain the present service.

7968. Do you think the pilotage service would be destroyed and ruined if compulsory pilotage is abandoned?—I do not think it would destroy it in twelve months, but it would deteriorate the service, eventually.

7969. You are satisfied with the present condition of things, and do not want to run the risk for the future?—We have not lost a life in conveying 200,000, and we are perfectly satisfied to let well alone.

7970. *Chairman.*] I understand you to say that

Mr. *J. Taylor.*

20 May 1870.

that you do not think the staff of pilots would be maintained if this Bill passes into law?—Yes.

7971. Have you any experience of the north channel of the Thames?—No, all our ships come from the south.

7972. Are you aware that the staff of pilots there are pilots employed voluntarily by vessels coming by the north channel?—Yes.

7973. Have you inquired whether they are at all inefficient as compared with the other pilots?—No; there are more vessels entering the north channel without pilots than the south, because they are vessels of short voyage, and they come principally in the summer season.

7974. Are you aware that the 60 pilots stationed in the north channel find their employment from vessels which are not bound to carry pilots?—Yes.

7975. They are in the condition voluntary agents?—Yes.

7976. The vessels coming by the north channel are not bound to employ pilots?—There is not the same flood of foreign-going vessels in the north channel that there is in the south.

7977. There is a portion of the year when the trade is comparatively small to the north of Europe, is there not?—Yes.

7978. And there must be a time of the year when there is a great press of vessels coming from the north of Europe?—Yes, but the majority of them are short-voyage vessels; they are people who have entered the river only a short time previously and generally in the long days and short nights. I say that is the reason that it does not act prejudicially. The traffic is just the same there as it is to short ports like Queenstown; the south channel of the Thames and Liverpool stand alone from the great ports of the kingdom.

7979. What is the difference between the south channel and the north channel of the Thames; is it much more difficult?—Yes, but the ships approaching the south channel are ships off long voyages coming from the southward.

7980. The vessels coming by the north channel are vessels that come off short voyages, are they not?—Yes, and a small class of vessels and the majority of them come during the summer season.

7981. Notwithstanding that there is a competent supply of pilots there, is there not?—The supply will meet the demand.

7982. Why should not that be so in the south channel?—In the north channel they are a smaller class of ships, and if a pilot is not there they run up without him; I do not know that; the supply is equal to the demand; but in the one case a man can pilot himself up the north channel in a small vessel, whereas one of our foreign sea-going captains could not do it up the south channel with safety.

7983. You said just now that the supply met the demand?—They being the smaller vessels, and being commanded by men only a short time in the river, many of them take pilots, but if the pilot is not there, they go up without him

7984. A large number of those vessels do take pilots?—Yes; but I cannot tell whether many more would not if the pilots were there.

7985. Have you heard of any complaints there?—No, I am not in the trade, but it is self-evident to me; I know it would be the case in the other channel.

7986. Looking at the north channel, you have not heard of any complaints of there not being a sufficient number of pilots there?—No.

7987. Are you aware that there are 60 pilots in the north channel who are employed voluntarily by vessels?—Yes.

7988. And that they are employed by the small class of vessels making a short voyage?—Yes.

7989. As a shipowner, you must be of opinion that large vessels making long voyages are much more likely to want pilots and take pilots than vessels making short voyages?—Yes, quite so.

7990. Then, if you find a supply of efficient and competent pilots in the north channel, what reason have you to suppose that there will not be an efficient supply of pilots in the south channel?—Because the vessels coming from the north channel, if a pilot is not there, run up; they are a small class of ships; it is during the summer months that they are there, and they have been there a short time previously.

7991. But the pilots are there?—Yes; but I do not acknowledge that they meet the demand.

7992. The whole of your argument turns upon this, that there is not a sufficient supply of pilots in the north channel for the vessels who want them?—The risk would be a hundredfold greater to the foreign-going ships, where the captain has not been in the channel for 12 months before, if he could not get a pilot, than it would be to these small ships coming in the summer time to the north channel. It turns upon the question of risk.

7993. Is it not on that very account that there is certain to be a much greater demand for pilots in the south channel than in the north channel?—Yes; there will be a greater demand.

7994. And all these vessels that you speak of coming in from a long voyage, that have been months away from the Thames, are perfectly certain to want pilots, are they not?—I cannot say. There is another trade I am conversant with which will be altered, and that is the tug trade. If you do away with compulsory pilotage, it will tend to induce the steam-tugs to go further down channel, and offer their services to ships on the plea that by taking them they need not take pilots.

7995. Is that the result of your experience of the north channel of the Thames or not?—Those small vessels do not, as a rule, employ tugs. I mention now what I should do if I was a steam-tug manager.

7996. If you were a steam-tug manager should you take a pilot?—If I was a steam-tug owner, and if you were to pass the Bill, I should order my men to cruise further down to the southward, to induce the men to give them a higher price upon the plea of getting rid of the pilot.

7997. Where the vessels employ tugs, coming by the north channel, do not they take pilots as a rule?—I should think not.

7998. Have you made any inquiries about it?—No.

7999. As a shipowner, do you think a vessel in charge of a tug is also in need of a pilot?—Yes, distinctly.

8000. And even more so than when without a tug?—I do not say so.

8001. Quite as much so?—Quite as much so; as a shipowner, I should be glad of anything that would relieve us from responsibility or cost, because we want to be relieved of every penny we can, but I take rather higher ground in this case, and

and I think that anything that imperils the safety of life and property, is bad legislation.

8002. As a large shipowner, if this Bill is passed, I presume you will always want a pilot, even whether your vessels are towed by tugs or not?—It is not left with me; my captain coming in would take a tug.

8003. Do not you give instructions to your captain?—Yes, but the pilot would not be there.

8004. That is another point; I ask what you would want?—But I could not get it.

8005. That is not the question; I ask, as a shipowner, if this Bill is passed, would not you want a pilot just as much as you do now, even though your vessel is towed by a tug?—I should wish it, but some of our captains are part owners, and might be much tempted to save 50 *l.* or 30 *l.*, part of which would go into their pockets, and I should bear part of the risk.

8006. You would give the instructions to your own captain?—The captain does what he likes, and he can either take a pilot or not; he would say, "I did not see a pilot, and I got a tug, and came up." A shipowner can give instructions, but he cannot insist upon their being carried out.

8007. What is your opinion of the responsibility of the shipowner, as to the law which relieves the owner from the responsibility of acts of negligence committed by his pilot; do you consider that a good law?—My opinion about the responsibility of shipowners is, that I am averse to the responsibility.

8008. I speak of the special responsibility for the acts of the pilots?—I think the shipowner should be exempted.

8009. Is it your opinion that any evil has resulted from the present law which relieves the owner from responsibility?—I am not aware of any evil.

8010. Do you think there is any evil resulting at all?—I have not heard of any evil.

8011. Have you ever heard of complaints of the risk which occur where the owners are not responsible?—I speak from my own personal knowledge.

8012. Do you think that the owner ought to be made responsible for the acts of the pilot whom he is compelled to employ?—Certainly not.

8013. Do I understand you to say that your own masters are part owners?—Some of our masters are part owners.

8014. Do you think in those cases the masters would not take pilots?—They may be tempted to take tugs.

8015. Would not it be competent for you to give the master instructions to take a pilot?—I may give instructions, but I am not there to see them carried out. A captain may tell me that he did not see the pilot boat; that may be the result.

8016. Mr. *Grieve.*] But being the registered owner of the ship he would be responsible for not taking a pilot, would he not?—That is precisely what I think. You will tempt the man to run the risk, and cause a greater risk to life and property by doing so.

8017. Do you mean to say that your shipmaster would disobey the orders given to him to take a pilot?—If he has got a tug, but I would not leave it an open question with him at all. I would compel him take a pilot.

8018. Would it be of advantage if the tugs went further down the channel to pick up ships?—No, the result would be that the ship would be virtually under the command of the man in the tug; she would then be under the guidance of a man who has passed no examination, who may have been a bargeman three or four months before, and who had become mate in command of a small steam-tug. There is a large amount of life and property virtually under that man's guidance, who has passed no examination. He goes further down the channel, and he says to the master of a vessel, "If you take me you will escape pilotage."

8019. Mr. *Graves.*] You have evidently given a great deal of consideration to this question of pilotage; are you aware that the Bill proposes to leave the pilots under all the supervision of the local authority that they now are under, and that it merely makes it optional with the owner to take the services of a pilot or not?—Yes, I am aware of that.

8020. What is it that you fear most if that system were allowed?—Anything which tends to peril a pilot getting a certain income, will tend to create a less efficient class of men, who will in bad weather certainly not be so much on the look-out as they are now. You may pass any rules you like, but you cannot be out in the middle of the channel to see them carried out.

8021. Do you regard income as a test of efficiency?—Yes; and if a shipmaster knows he must take a pilot, and if it is compulsory for the pilot to be there, he will hold on; but if it is not compulsory, then, in the winter time, the shipmaster would take a pilot if he is there, but if the man is not there, and the wind is blowing strong, and it is a dark night, the captain will be tempted against his better judgment to go on without a pilot.

8022. Is it your opinion that if, by any action of this Bill, the income of the pilots is reduced by 100*l.* a year, we should have a less efficient and a less able and intelligent class of men than we have now got in the Thames?—I am of opinion that that would be the tendency, and with regard to the Mersey the same remark would apply.

8023. Have you thought as to whether any improvements could be effected in the system at work in the Thames; say, with regard to steamers; you are aware, no doubt, that a very large number of their masters and mates are now licensed as pilots; do you see any objection to that being allowed to continue and to be extended?—I think it is a very good system when a man has passed an examination, and is in the command of a vessel continually entering the river, and I do not think you could have a more efficient man in charge, and it ought to be non-compulsory on that head.

8024. Would you carry your view so far as to continue the statutory obligation which now exists, that every home-trade passenger ship should have a licensed master or mate on board, or a licensed pilot?—Most distinctly.

8025. Are you aware that it is proposed to do away with that obligation?—I am not aware of it.

8026. If you were aware that it was proposed to do away with that statutory obligation, would you view it as doing away with the safeguard to life in passenger ships?—I should view it in that way; it tends to emperil life on board steamers.

8027. Are you aware that the exemptions in the

Mr. *J. Taylor.*

20 May 1870.

the Thames are limited to 60 tons or under?—Yes.

8028. Would you be disposed to extend that limit at all?—I should on small vessels extend it to 200 tons.

8029. Do you consider that that would do away with any hardship upon that particular class of vessels?—Yes; at night time they are easily handled, and the man can wait for daylight.

8030. As a rule, I suppose you would be influenced by the fact, that those small vessels go much more frequently in and out, so that their masters are much conversant with the channels, but the larger class of vessels are generally going away for 12 months; is that the distinction you draw?—Yes; that is precisely where I draw the distinction.

8031. You have stated that you consider the larger proportion of risk on a voyage is on leaving and making the land?—Yes.

8032. Are you of opinion that, if the necessity for taking a pilot were done away with, you would be increasing the risk to life?—I think you would increase the risk to both life and property in foreign-going ships.

8033. You have many restrictions placed upon you now as a shipowner?—We have many restrictions with the passenger ships.

8034. Do you consider that there is any more valuable one in the interest of life and property than that which compels a man in dangerous navigation to employ a pilot?—With respect to the navigation of the ship, I think it is a restriction that no shipowner ought to grumble at.

8035. The Merchant Shipping Code, in its 644th section, proposes to make it a misdemeanour, on the part of an owner, if he sends his ship to sea unseaworthy; are you aware of that?—I am aware of it.

8036. Are you also aware that the Merchant Shipping Code does not say what constitutes unseaworthiness?—That is precisely what I should like to have defined.

8037. It will be left to the judge to define what is unseaworthiness?—That is not fair to the shipowner.

8038. It has been stated here by a high legal authority, that the judges would rule under the existing law that a ship without a pilot, where it was usual to take a pilot, was unseaworthy?—I was not aware of that.

8039. *Chairman.*] Are you aware that the unseaworthiness in the Bill means unseaworthiness so as to endanger life?—Yes.

8040. Mr. *Graves.*] Does not it follow that any shipowner who lets his ship go to sea without a pilot would be guilty of misdemeanour?—I think so.

8041. In removing the statutory obligation to take pilots, does it not strike you that the Legislature would be promoting rather than preventing unseaworthiness?—I think it would lead to a trap; if I tell my man to take a pilot, and he does not take one, I am guilty of misdemeanour.

8042. Take the case of an inward-bound vessel, where the owner has no control over his captain, and he exercises his discretion, and without any authority from his owner, declines to take a pilot, preferring to take a steam-tug, and save the pilotage, the owner in that case, I presume, would be held guilty of misdemeanour?—I think so.

8043. Supposing the judges, in the exercise of their discretion, ruled that a master of an inward-bound refusing to take a pilot brought his owner under a misdemeanour in consequence of unseaworthiness: would you consider that a fair way to deal with the owner?—Certainly not. I should not like to be a shipowner if any such law applies.

8044. *Chairman.*] You would be rather relieved to find that that is not the construction of the Bill?—Yes.

8045. Mr. *Graves.*] Do you know Mr. Squarey?—Yes.

8046. Do you consider him a high authority upon matters of this kind?—Yes.

8047. Would it be to your interest that you should have a free option to take a pilot or not?—Pecuniarily, I think it might result to my interest as a shipowner; but if the result of future years does not keep me as clear from loss of life and property as it has hitherto done, it might result the other way. I take it as a broad question of safety to life and property. You would imperil life by doing away with compulsory pilotage; and it is my interest, as a shipowner, to keep matters as they are. If there was a greater risk, we should have to pay for it, because any loss would have to be added to our premium the next voyage. The underwriters would not carry on a losing business.

8048. You would save something in pilotage if you had an entirely optional system of pilotage?—Yes; that is where the risk would be run. It might tend to the captain thinking that he was saving 30 *l.*, and he would run a risk to life and property. I should not like that.

8049. It would be to your interest to have no restriction placed upon you as a shipowner, if possible?—We have too many restrictions.

8050. Therefore, considering your own interest, probably you would desire to be free from this also; but you come here with a broader and a higher view?—I think any tendency to injure the present efficient staff of pilots would be bad for the shipping interest, and would tend to increase the risk to life and property. It would be bad for the trade and myself eventually, as a shipowner.

8051. If you were told that the committee of the Shipowners Association of London held a different view, and that they approved of the principle of this Bill, would it alter your view at all of this question?—Not the slightest.

8052. It would not alter your view?—No; I do not believe it would. I scarcely regard them as representing the shipowners of the port of London.

8053. Do you see any objection to the laying down of the broad principle, where there is a properly-constituted local authority representing the commerce of the port, that it should be left to the discretion of that authority to decide what principle would best suit the wants of that port?—Certainly not.

8054. Such as the Mersey Docks and Harbour Board?—Quite so.

8055. Would you think that wiser legislation than laying down one stern line of either perfect voluntaryism or perfect compulsion?—Yes; because the circumstances of the port vary so much. I do not think the management of the ports of Liverpool and London can be compared to any other ports in the United Kingdom.

8056. Who is your local authority in London?—The

—The Trinity House have control over the pilots.

8057. There is no commercial representation for London?—No; but I think there ought to be.

8058. And if you had a commercial representation upon that board, would you leave it to the discretion of that board so constituted to decide what would be the best for the wants of the Thames?—Yes; I think you would have a recommendation from that board to relieve some of the small ships, or to relieve vessels where they enter the port frequently. There may be certain classes of shipping which it is desirable to exempt; but I think upon the broad question of foreign sea-going large tonnage ships, where they are away 12 months, a local board properly constituted would recommend that compulsory pilotage should continue.

8059. Mr. *Wykeham Martin.*] You said that you had heard no complaints owing to this exemption of owners; would you mind running your eye over that document, and look at the number by which it is signed (*handing a paper to the Witness*)?—You see where this is principally from; it is principally from Rochester, where they are all barge-owners.

8060. And Plymouth?—I do not see the name of one large shipowner yet.

8061. It does not pretend to be from the large shipowners; it is from the small shipowners?—I would exempt the small ships, or the small steamers.

8062. Just read their complaints in the prayer of their petition; there are 407,000 tons of shipping represented, are there not?—Of small barges.

8063. I cannot admit that?—Rochester is all barges; nothing larger than a barge can go there.

8064. Have you ever been there?—No; but I know the class of tonnage that I have seen from Rochester.

8065. Have you been up the Medway?—No.

8066. Are you aware that North American timber-ships come there?—They do not trade from the port of Rochester to London.

8067. Are you aware that the largest men-of-war anchor at Chatham?—Yes, men-of-war; but that is not a commercial element; there is no great commercial trade there.

8068. It is the small shipping that complains; do you see what they complain of?—I do not think that they have any right to complain; they are small ships, and they can recover from the pilot, if the pilot has done them wrong; they simply have to go against the right man.

8069. If they go against the right man, every witness that has sat in that chair says the remedy is perfectly illusory?—I do not see that at all.

8070. In one of those cases a pilot was a bankrupt for 5 *l.*?—Then why should the other ship be made to pay it.

8071. It is alleged that large shipowners keep what is called a domestic pilot for the sake of exemption?—We do not do so; it is evidently to our interest, with a large amount of valuable lives, to have the ship navigated as efficiently as we can, because in case of collision, we do not know who would get the greatest damage.

8072. If there are nothing but barges they would not hurt you?—I think they would.

8073. It is like a railway waggon running into my private carriage?—It could not be to the interest of the shipowners to make good the damage.

8074. One firm lost 6,000 *l.* in one tide in the Thames?—They had a remedy against the pilots.

8075. They prosecuted the pilot to bankruptcy, and doubled their loss?—The only result would be in the case of this: a vessel going foreign, and she gets into collision with a barge; Where are our witnesses? Are we to keep the ship waiting? the detention would be as much as the value of the barge.

8076. Those barges go foreign; it depends upon the nature of the barge?—In the case of small damage, would you detain the ship while proceedings were being taken? If we detain our ship, the penalty might be 50 *l.* a day; the result would be that the barge-owners would have the shipowners at their mercy, and we should have to pay to get rid of fighting the cause; but here the man who has done the injury is the pilot, and they can go to him. I think that is a matter which is in the hands of any committee which rules the pilots, because if the pilot is brought into blame, let his future earnings be imperilled for the damage.

8077. His earnings are proved to be 3 *l.* a week?—Whatever it may be, if he is brought into blame, let him pay a certain portion of the damage out of his earnings; do not let him escape it by coming bankrupt.

8078. Mr. *Stevenson.*] Do you approve of the recent distinction established by the Merchant Shipping Act of 1854, between the pilotage above Gravesend and the pilotage below Gravesend, in having it conducted by two different sets of pilots?—I do, and I believe in the present system of pilotage of the port of London, even over Liverpool. I will tell you why; the man who goes down from Gravesend is taking ships down every day. It is a matter of judgment and it requires confidence to navigate ships safely in crowded waters, such as the waters leading to London; therefore, you cannot divide the pilotage too much. We have men who go down to Gravesend only; we have men who are always going out to sea. We have another class of men, inward pilots, who do not take ships outwards; they are a distinct class. We give orders to the captains of our ships to take pilots out to the Wight. We have no household pilots, but we have certain men in whom we have confidence; they come back by turn and they go down again in another ship; they know the set of the tide. We keep them to one branch and that must tend to make them clever in that branch.

8079. Do you approve of the difference in the charge by which a master has to pay more when he employs two separate pilots than when he employs only one pilot for the whole distance?—If a pilot had to come from Gravesend up to London as the ships are very often detained at Gravesend, you would require a larger staff of sea-going pilots, and you would not have them so efficient, because a man who comes up once in a month cannot be as efficient as a man who is coming up every two or three days; he has not the same confidence in his judgment.

8080. Are there certain pilots who have the privilege of piloting the whole way?—Yes, but as a rule the sea-going pilot keeps to his own district I believe, in the classification which keeps a man to his own district, and the longer he is in it the better man he will be.

Mr. *J. Taylor.*

20 May 1870.

8081. How do you select the pilot who is to take your ship from Gravesend to the sea; do you take the first in turn?—No; for the outward pilotage we take three or four men whom our captains recommend as the most efficient men; you cannot call them household pilots, because one man will do for two or three firms; he will take the first ship of the firm, which is ready when he comes back.

8082. That is not consistent with the system of rotation of the pilots?—There is no system of rotation going outwards.

8083. Mr. *Norwood.*] Do you or not, believe that the demand regulates the supply in mercantile matters?—I am perfectly clear that demand regulates supply in all matters, but with this exception, that, supposing there is a very active and sudden demand for skilful doctors to-morrow, you cannot create them in a moment.

8084. I take it from you that, as a general rule, in matters of ordinary life, especially of trade, demand does govern supply?—It would not govern the pilots.

8085. Does the demand regulate the supply or not?—It regulates it in timber, cotton, and corn, but it does not regulate it in skill.

8086. Do you mean to say that, should the principle of the Bill become law, and there was a demand for pilots off Dungeness to bring up large ships from the west to London, that you would not find pilots?—I think not.

8087. With regard to the north channel of the Thames, I understand you that is only used in the summer time?—No, I did not say that.

8088. It is chiefly used in the summer time?—The larger amount of tonnage will naturally come in the summer time.

8089. Are there more vessels coming to the port of London by the north channel than by the south?—Colliers are not the class of ships I speak of; I speak of seagoing ships.

8090. Do you know anything about colliers and the coasting trade?—No.

8091. You know, I suppose, that colliers do come to London by the north channel?—Yes, and they must have pilots.

8092. Licensed pilots?—No; a man who is accustomed to command a collier coming into the port of London must naturally be a pilot. I say he has more experience of the port of London in a twelvemonth than our captains would have in a lifetime.

8093. I understood that only small ships come up the north channel?—No, I did not say so; I say that they are a smaller class of ships on the whole than those which came up the south channel.

8094. Is there more traffic with regard to tonnage up the south channel than there is up the north channel, upon the whole?—I cannot answer that question, but I should say most distinctly that foreign-going ships, where the voyage averages reached 12 months, to the East Indies, Australia, and the Mediterranean, come up the south channel.

8095. I presume they would entirely go by the south channel?—That is the valuable trades.

8096. The vessels to the Baltic and the coal ports go by the north channel?—Where the vessels run short voyages, and where the master is accustomed to make the port often, he virtually becomes a pilot himself.

8097. Taking your view of the case, I suppose it is rather an absurd distinction to make, that a steamer coming from the Baltic should be compelled to take a pilot if she has a couple of passengers on deck, and yet that she need not take a pilot when she has no passengers?—It is a most absurd distinction.

8098. Then you would rather increase the exemptions to the port of London?—I speak of any port; I do not know what the exemptions are at present.

8099. You say that as far as the north channel is concerned, the trades which pass through the north channel are short trades, and whether those vessels convey merchandise or passengers, they should be exempted from compulsory pilotage; for instance, the Baltic trade coasters and colliers?—I should limit the tonnage, not of steamers, but of sailing vessels going foreign; but there is this exception, if they have a competent man in charge of the ship, they should be exempt, that is, if the man had entered the waters within some certain period; I do not believe that because a man was examined for the waters five years ago, he is competent to navigate them five years afterwards.

8100. I thought your argument was, that the trades passing through the north channel are such short trades, and the masters are so constantly passing through the channel that they are pilots?—Yes; there is no rule why shipowners to the Baltic and the north could not get themselves practically exempted from pilotage.

8101. The Shipowners Society of London is an obscure body, is it not?—I think it is rather obscure as representing the shipowners' interest of London.

8102. How long have you been in London?—Nearly 10 years.

8103. Would you be surprised to hear that the Shipowners Society had been in existence three or four times as long?—That is exactly its fault.

8104. It has been in existence too long?—Without any fresh element being imported into it, it has got rather too antique.

8105. Have you ever heard of a gentleman called Mr. George Duncan?—Yes; I was speaking to him yesterday.

8106. Is he an obscure individual?—No; Mr. George Duncan is a very large shipowner.

8107. And a big man?—Yes, much bigger than I am.

8108. You do not call him an obscure man, do you?—No.

8109. Do you know Mr. Anthony Robinson?—Yes.

8110. He is a steamboat manager, is he not?—Yes.

8111. Is he an obscure man?—No. They are not obscure individuals; it is the body itself I speak of.

8112. You made a statement in your evidence, and I wish to test the value of that statement; is or is not Mr. George Duncan the chairman of the society this year?—I do not know who the society is composed of. I think if the Shipowners' Association of London were called upon to give their opinion upon this, they ought to have gone among the shipowners and ascertained their views, and not only have taken the evidence of their own committee.

8113. Do you know that Mr. George Duncan is a member of the General Steamship Owners' Society?—You say so; Mr. Robinson is.

8114. Do you know whether Mr. George Duncan

Mr. *J. Taylor.*

20 May 1870.

Duncan is a member of the General Shipowners Society?—Yes, as you say so.

8115. Are you aware that he is the chairman this year?—No, I am not aware of it.

8116. Are you aware that Mr. Anthony Robinson is a member of the committee?—No.

8117. Are you aware that Mr. Lidgett was a member of that society?—Yes.

8118. Did you know Mr. George Frederick Young?—Not; I knew Mr. Young was connected with it.

8119. He was chairman?—Yes.

8120. Are you aware that they have the privilege of appointing representatives on Lloyd's Register Committee?—I suppose they have.

8121. Are you aware of the fact?—No.

8122. I put it to you candidly, with your very small information as to the Shipowners' Society, do not you think you were rather hasty in saying they were a small and insignificant body?—I did not say that; what I said was this, that I scarcely looked upon them as representing the shipowning body of London.

8123. You do not?—No, I do not know how they are appointed and how they are voted for, that is what I said.

8124. You are entitled to your opinion, but I want to test the value to be attached to your opinion?—I could name shipowners equally large as those you have named who are not members of it.

8125. Possibly they do not choose to be?—I suppose they have never been asked; people do not wish to push themselves into a body who say they represent the shipowning interest of London; if it is the shipowning interest of London it ought to be a public association got at by voting, or in some other public way.

8126. Are you not aware that it is a public establishment?—I do not know how it is constituted.

8127. Does it consist of a large number of shipowners who pay an annual subscription, and who have public meetings, and elect a committee year by year?—I am not aware of that.

8128. You come here as a great authority, you have been in London 10 years, you want to put us all right upon shipowning matters, and I want a little information upon one or two points; your objection to the optional system of pilotage in the Thames is this, that your captains might be induced not to take a pilot when they ought to do so, and your view is that a pilot ought to be taken?—Yes, by a man who has been 12 months away from the port.

8129. Your opinion is that most shipowners of respectability, with large valuable vessels, would take pilots?—I think it would be their wish that the captains should take pilots.

8130. You think they would desire it?—Yes.

8131. Your experience is that your captains are desperately economical, in fact, they grudge even the expenditure you like to see?—I think that follows from the owners desiring to see some profits, although they are getting smaller and smaller continually.

8132. You tell me, that though your instructions to your masters would be to take a pilot on approaching the Thames, your captains are so desperately economically inclined that they will not do it?—I do not know that our captains would do it more than any others will do it.

8133. Captains generally are so economically inclined?—No, the captain might get a tug-boat lower down the channel, and the ship would then be under the control of the tug-boat.

8134. Do you find that your captains, as a rule, are too economical on a voyage?—I did not say that any of them are.

8135. I understood that your argument was that the captains were so averse to spend the money of their owners, that you could not get them to spend money legitimately when you wished them to do so?—No, a captain is very apt to think that he is rendering his owner a service.

8136. Do you find that captains generally are anxious to take upon themselves the responsibility which their owners desire they should not take, or is not the rule, that they avoid all personal responsibility that they can safely avoid?—I do not say that captains do that; I have not found that to be the rule. I do not think they shirk responsibility; each man feels that he has a certain amount of responsibility.

8137. Your knowledge of captains is great, and yet you tell us that you believe a captain would voluntarily take upon himself the responsibility of navigating his ship up the Thames contrary to his owner's wish?—I say he might be tempted when he has a steam-tug ahead. We complain that they take steam-tugs too low down.

8138. You really fear that the captains would be induced to do without a pilot contrary to the wishes of the owners?—I think that the result would be that they would get steam-tugs lower down, and that they might be tempted to do without a pilot if they had the option of doing so; and they would think they were doing a service to the owners, because there is no captain that is not anxious to get a steam-tug or a pilot, and he would take the first that presented himself to him.

8139. Then, in point of fact, the captains of ships, as a rule, would rather like to see the principle of the Bill now before the Committee confirmed?—No, I think not.

8140. Would not they take advantage of it?—No; when it is once left open, the steam tugs would go further down the channel, and, after a long voyage, a man would be glad to take whichever came first, and upon taking a steam-tug he would do without a pilot.

8141. Do you think that the principle of the Bill would be taken advantage of if it is passed?—It is the natural result that would follow. I think it would be taken advantage of by steam-tug owners. If I were a steam-tug owner I should do the same; I should simply look to my own business. I should say to my men, if I were a tug owner, "Go a little further down, and see if you cannot save the pilotage."

8142. With regard to the Trinity House, they have the entire control of the navigation of the Thames and the pilotage waters of a considerable portion of the coast?—Yes.

8143. I think you stated distinctly your opinion that it was an unsatisfactory state of things that there should be a self-elected body, and a close corporation having the important functions which they now discharge, irresponsible to the trade?—Yes.

8144. And you think that a mixture of the trade element, in the shape of representatives of shipowners and merchants, would be a great improvement?—There ought to be a responsible body of men connected with the port at each port.

Mr. *J. Taylor.*

20 May 1870.

8145. Are you aware that there is a peculiarity in the Thames, that the Trinity House not only is the licensing body, but the administrative body as far as pilotage is concerned?—Yes.

8146. That is an anomaly, is it not?—Yes, it is an anomaly quite.

8147. In some ports the two functions are entirely separate. You have a licensing body and an administrative body; do not you think that would be a great improvement in the Thames?—I do.

8148. And, in fact, that one of the greatest improvements in connection with the navigation of the Thames would be a large popular body, not a hole-and-corner affair like the General Shipowners Society, but a general, liberal, large body, in which you could take a seat?—I think it ought to be more open than it is at present.

8149. A large representative body would be of very great advantage to the trade and commerce of the Thames?—Yes, I know many shipowners in the port of London who I believe are not connected with the Shipowners' Association.

8150. With regard to the Trinity House, may I take it from you clearly and distinctly that an alteration of the constitution of the Trinity House with a view of enlarging its constitution, and making it a representative body, is absolutely essential for the benefit of the trade of London?—I do think so; and in recommending compulsory pilotage, clearly understand me that I do not think a ship on long voyages should have compulsory pilotage at the expense of ships on short voyages, or steamers. That is why I think that a properly-constituted body would give recommendations to that effect.

8151. Are you aware that in the navigation of the Thames, barges very often get in the way of ships?—Yes, they do, often.

8152. Have not they a tendency to keep the middle of the water?—Yes.

8153. They do not get out of the way?—No.

8154. Do not they sometimes bring-to against vessels moored in tier?—They are extremely obstructive.

8155. They are not always the innocent sufferers?—No, I am afraid that if the owners of small barges had a remedy against the shipowners, we should either have to pay them off, or be detained; we should be at their mercy.

8156. They are frequently in fault themselves?—Yes.

8157. Colonel *Bourne.*] You said that you had been connected with some large steam tug company?—The Liverpool Steam-tug Company.

8158. You reside in London now, do you not?—Yes.

8159. Were you long in Liverpool?—I was 15 years connected with it, and I had the management of that company for several years,

8160. Do you know the pilot system there?—I know the men intimately.

8161. Had you ever any fault to find with them while you were there?—None whatever; I think they are most efficient, hard working, and certainly not an overpaid body of men.

8162. Are you a shipowner yourself?—Yes.

8163. You do not object to any of the dues levied on you on behalf of any of the pilots?—I do not think that the larger foreign-going ships should have a compulsory body of pilots kept up at the expense of the small ships. I think that the small masters do manage their vessels as competently as they can, and they ought not to pay compulsory pilotage, but the compulsory pilotage to foreign-going ships when they are away 12 months is an absolute necessity.

8164. I suppose the reason why vessels using the north channel of the Thames do not take pilots is, simply that from the frequency of their voyages they become acquainted with the banks, and are themselves?—Yes, that is the reason.

Mr. Alfred Tozer, called in; and Examined.

Mr. *A. Tozer.*

8165. Mr. *Pemberton.*] I believe you are the Secretary of the Universal Marine Insurance Company?—Yes.

8166. That is a very large marine insurance company?—Yes.

8167. You have been engaged in business relating to marine insurance for a great number of years?—All my life.

8168. What is your opinion with regard to the question relating to the pilotage of ships, so far as concerns the underwriters of the cargoes of the ships?—We look upon the question of a properly-constituted and well-qualified pilot service as of vital importance in narrow waters, for the safety of property.

8169. Both with reference to underwriters of the cargoes, as well as the underwriters of the ship?—Yes.

8170. Are they different classes of business?—No, we underwrite both.

8171. Sometimes you underwrite one and sometimes you underwrite the other?—Yes; sometimes we underwrite the cargo of the ship, and sometimes the vessel.

8172. And the insurance is sometimes effected by different persons?—Yes.

8173. One being the owner of the cargo and the other the owner of the ship?—Yes.

8174. Have you considered the question at all, not only with reference to the value of the ship and cargo, but also to the safety of lives?—Yes.

8175. Looking at all those considerations, are you of opinion that the present system is a satisfactory one?—To this extent, that I would extend the compulsory system much more than it is.

8176. You consider that the qualifications which a pilot under the present system usually possesses, is very different from the qualifications of the masters and mates of a ship?—Yes; it is often the case that a master is a qualified pilot, but then he has to undergo a special examination for it, but an ordinary master is not of the same character.

8177. I suppose that the ordinary qualification of masters and mates has more reference to the management of ships out at sea, and the stowage of cargoes, and so on?—My experience teaches me that.

8178. As a rule, you consider that they are not qualified for the navigation of intricate channels of which they have no special knowledge?—I should doubt a man's conscientiousness if he undertook it without he had undergone special examination.

8179. Do

8179. Do you, speaking as an underwriter of property to a very large amount, consider that there is a necessity for retaining the system of compulsory pilotage with reference to ships coming into the port of London?—I think so quite.

8180. Are you of opinion that the navigation of the channels of the Thames is very difficult?—I am quite sure of it, particularly the south channel.

8181. And that is the one in which what is called the compulsory pilotage system exists?—Yes.

8182. Have you had any experience or means of forming a comparative estimate of the accidents or casualties which have happened between Dungeness and Gravesend with reference to vessels which are in charge of licensed pilots, and those which are not?—I have not had a very large experience, but should say that decidedly we are safer by far with a pilot on board than without one; that is my general recollection of what has passed before me. I see a large number of claims in the course of the year.

8183. What is your opinion with regard to the liability of the owners of ships with reference to accidents. There are two questions involved, one as to the loss of the ship itself, and the other as to the accident caused by the ship in the hands of a pilot to another ship?—I have never seen the reason why a shipowner should be released from his liability, the pilot being on board. I always look upon a pilot at the time of his being on board as equivalent to a master, and if he is so, I cannot see why the owner (the master ceasing at that time to be in office) should be released from his liability. I am bound to say that I should be prepared to release the owner from the liability altogether with certain restrictions.

8184. Mr. *Price.*] Do you mean with a pilot or without a pilot?—With a pilot or without a pilot; both in pilotage waters, and out at sea.

8185. Mr. *Pemberton.*] What is your opinion of the liability of owners of ships when their ships are in the hands of a pilot and an accident happens by collision with another ship?—I have never seen the reason why the owners should be released from liability when a pilot has been on board. I look upon the pilot as the master for the time being. The master has given over his authority to the pilot for a time, and, as regards the liability of the owner, it is simply that he has a pilot in charge of the ship instead of a captain. But I should like to see the owner released from the liability for the acts of either his captain or his pilot; at the same time I should say that the man who does the fault should be punished in a much more efficient way than he is now.

8186. Probably you are aware that the effect of the owner being released from liability when he has a licensed pilot on board, is rather the result of decisions of law than of any positive enactment?—Yes; I have never seen an enactment, but I know that it is the fact.

8187. The principle is this, a pilot being on board in a compulsory way, he is not considered to be the servant of the master, and therefore the master is not liable for the acts of a person who is not his servant?—Yes.

8188. But if a pilot be the absolute servant of the owner, you would not wish to release the owner of the ship from liability?—Not as it now stands.

8189. Of course it would be unjust to the person whose ship was damaged?—Yes.

8190. Do you think that if the present system of compulsory pilotage was done away with, that the services of a sufficient number of men would be secured to conduct the pilotage?—I cannot give a very decided opinion upon that, because that is outside my business; but my opinion is that it would be so, and the men would not be so highly paid as they are now; they are obliged to be men of high character, having undergone an examination, and I should doubt whether if a sufficient remuneration was not offered, you could get the men.

8191. And a sufficient amount of certain employment not being offered, would affect the question?—Yes; over and above that there is a reason why I wish to see it continued; in the south channel, between Dungeness and London, there is a large mass of men called the Deal boatmen, who do not exist on other parts of our coast, and I have a great dislike to those men coming on board the vessels, and acting as pilots without they are duly qualified.

8192. You mean that the Deal boatmen are not licensed pilots?—They are not licensed pilots.

8193. Is it at all the fact that those men do at present come on board the vessels, and act as *quasi* pilots?—Yes, I have known cases where it has been so.

8194. And has that been to the exclusion of licensed pilots?—I cannot say that, but I have known them come on board as pilots.

8195. *Chairman.*] A licensed pilot would have the right to supersede him, would he not?—Yes.

8196. And he would have that right under the Bill before the Committee?—I am very glad to hear it.

8197. Did you know that?—I did not know it.

8198. Then you have not looked at the Bill?—I have not seen it.

8199. You have not considered what the proposal of the Bill is; is that so?—The proposal of the Bill is to do away with the compulsory pilotage that exists in the southern waters.

8200. Is it your impression that it is to provide absolute free trade in pilotage?—That is my impression.

8201. You never looked at the Bill to inform yourself of the real proposal?—No; my object in coming before the Committee was to state how the underwriters would look upon the compulsory pilotage system being abolished.

8202. Is it not very material to that view that you should know what the proposal of the Bill is?—Yes.

8203. You have not taken the trouble to look at it?—I have not had the time since I was asked to appear as a witness.

8204. Mr. *Pemberton.*] Your answers to my questions have been simply with reference to the abstract principle, as to whether it would be a desirable thing to do away with the system of compulsory pilotage, as it exists at present?—That is all I have paid attention to.

8205. Without any reference to any particular remedy or alteration, that may be adopted in lieu of it?—Yes.

8206. You have considered that you are merely prepared to answer the questions as to whether it is desirable or not to continue the system of compulsory pilotage?—Yes.

8207. And you do not see your way to any other

Mr. *A. Tozer.*

20 May 1870.

other system but the present one, under which the services of an efficient body of men could be always absolutely obtained?—I cannot see it myself.

8208. You think it probable, if compulsory pilotage is abolished, that masters of ships, with a view of saving pilotage, would often dispense with the employment of pilots when pilots ought to be employed?—I think it is probable.

8209. Do you think it is very likely that in fine weather they would always do without them?—I think so.

8210. And, therefore, the pilots on finding that there was no certain employment for them in fine weather, would not be so vigilant in their attendance in winter?—I think they would degenerate.

8211. Colonel *Bourne.*] Would you make any difference in the premium, whether a vessel took a pilot or not?—No.

8212. *Chairman.*] Have you any experience of ports where pilotage is voluntary?—No, I have not.

8213. You have not formed your opinion upon any experience?—Not upon those kind of ports.

8214. Are you aware that the pilotage is, practically, voluntary in the north channel of the Thames?—Yes, I am aware of that.

8215. In your experience, has any evil resulted from it or no?—I can understand a great deal of reason why pilotage is not compulsory in the north channel as compared with the south channel.

8216. In your experience, has any evil resulted from the fact of pilotage being voluntary in the north channel of the Thames?—No.

8217. I presume you must insure a considerable number of vessels coming by the north channel of the Thames?—Yes.

8218. And you have not, in your experience, found any evil resulting from it?—No.

8219. And you have not taken the trouble to inform yourself of the proposal of the Bill before the Committee?—No.

8220. When you stated that you had a great dislike to the Deal boatmen going on board vessels, is that under the impression that a perfectly free system of pilotage was to be adopted?—Yes.

8221. And that the Deal boatmen were to be allowed to go on board, and that licensed men would have no longer the right to supersede them?—No.

8222. Are you a member of the committee of Lloyd's?—I am not.

8223. Are you a member of Lloyd's?—My company is. I am member of the committee of the Salvage Association.

8224. Are you aware that the committee of Lloyd's are in favour of this Bill?—I am not aware of it; I am not cognisant of any of their matters; they only allow private underwriters to be on the committee.

8225. You only give your own opinion?—Yes.

8226. Mr. *Pemberton.*] What is your opinion of the salvage company?—It has never been before them as a committee.

8227. Mr. *Norwood.*] It has never been discussed there?—No.

8228. I think your opinion with reference to the liability question, was rather to this effect, that you would not alter the state of the law with reference to the shipowner's immunity from the consequence of the acts of the pilots, but would extend it to the act of anybody in charge—Yes.

8229. You think that any man who commits an error by carelessness should be punished in person or in body?—Yes, my own opinion is, that it would work in the long run infinitely better than the present system.

8230. The present system is, that in important cases an inquiry is entered into under the authority of the Board of Trade, and a punishment in the shape of six months' suspension of certificate is inflicted; in your opinion that is not sufficient?—I do not think so.

8231. You do not quarrel with the immunity of shipowners with reference to pilots; you would like to see it extended?—I should like to see it increased.

8232. Do you imagine that shipowners who are responsible, particularly with reference to valuable cargoes on board their ship, would abstain from taking pilots?—I do not think they would for their own sake.

8233. Do you believe that if a serious disaster occurred which entailed a heavy claim upon the underwriters, and if upon investigation the underwriters found that it was the habit of an owner not to allow a pilot to be taken, that he would be looked upon with distrust, and would be charged a higher premium?—Yes; if it came to a question of law I should set up unseaworthiness; that is, if I found that the ship had been lost from the want of a proper amount of knowledge aboard ship.

8234. You scarcely anticipate then a falling off in the employment of pilots, whether pilotage is compulsory or not?—Yes I do, for this reason, that I always felt the necessity of legislation does not arise with reference to the respectable shipowner, but with reference to vessels which we have to insure, belonging to all kinds of people. I want to insure that those who would otherwise go without a pilot should have a pilot. Respectable shipowners are not the whole class that we have to do with.

8235. Mr. *Price.*] I understood you to say that you do not object to the immunity of owners of a ship, and that you would even be willing to extend that immunity somewhat?—Yes.

8236. Whenever the owner is liable, the ship being insured, the underwriter is liable?—Yes.

8237. And if you get rid of the owner's immunity you get rid of your own liability as an underwriter?—That is certainly the fact; but that is not the ground on which I speak. I take a higher ground than that.

8238. You put it upon the ground that you think the guilty person ought to suffer?—Yes.

8239. And as it is, the owner would be liable for an accident arising from no neglect on his own part?—Yes.

8240. But it is a matter of fact that anything which frees him from liability frees you as an underwriter from liability?—It frees us from three-fourths of it in that case.

8241. But you say you would also, in extending immunity to the owner, if you could, extend the liability to take a pilot; you would make it more compulsory to take a pilot?—Yes.

8242. And that is because that would conduce to the safety of the ship and cargo, of which you may be the underwriter?—It is a selfish motive as regards myself.

8243. A selfish motive lies at the foundation of

of all commercial operations, and therefore I do not know that we should call it selfish, except in modified sense; but what I meant to ask you is this: is that greater safety to you in the conduct of your business a fact that you would measure by any difference in the premium you would charge upon the insurance?—I cannot say. I do not think we have ever come across it; but I do say this, that if we knew of any shipowner who consistently, whether compelled or not, fitted up his ships in first-class style, and who, in case the compulsory pilotage was done away with, would always carry a pilot, he would get his premium at a lower charge.

8244. That is in the case of a particular owner always navigating his ships in a particular trade?—Any known owner.

8245. I speak of an ordinary case of a shipowner wishing to insure his ship, or a merchant insuring his cargo, both of which are equally affected by a pilot being on board; let me take the case of a merchant desiring to insure his cargo from a North American port to Liverpool; there is a current rate of insurance prevailing at the time, according to the time of the year, and so on, and he writes to the insurance broker, and at that rate with almost absolute certainty he can insure the ship; is it the practice of underwriters to make any inquiry as to the habit of such owner of taking pilots or otherwise, or is it not the practice to take the bill of lading and insure the cargo according to the market rate?—No; the first question I put is as to the owner of the ship; is it one of Smith's ships, or is it one of somebody else's ships.

8246. Supposing a ship belonged to an owner in British North America, would you ask who he was?—Yes; and if he was known as a good man he would have the turn of the market.

8247. You are not able to say that the fact of taking a pilot or not taking a pilot is a matter that comes to your knowledge in any such way as to enable you to charge a higher rate of insurance upon a ship that does not, than you would upon a ship that does take a pilot?—It would have that tendency.

8248. If you trust it?—Yes.

8249. Do you take any trouble to ascertain the fact?—It becomes part of the general inquiries; I am certain of this, that if it came to pass that there was perfect free trade as regards taking a pilot or not at Deal, coming up to London with an East India ship, the underwriters would ask whether she was a ship that went without a pilot or whether she would take a pilot.

8250. At the present moment you do not inquire?—No.

8251. You assume that the system of pilotage being compulsory, as a rule they do take pilots, and you never thought it worth while to charge a higher rate to those who do not than to those who do?—No, we have looked upon it as a thing that is always done.

8252. Therefore you have never made it a condition of the contract between yourself and the shipowner that he should take a pilot?—No.

8253. I understand you that if compulsory pilotage were done away with, and it were open to the owner of the ship to take a pilot or not as he pleased, you would make it a positive condition that he should take a pilot, or you would have one rate for a man who did and another rate for a man who did not take one?—Yes.

8254. Do not you think that that would be a very wholesome form in which this compulsion could be administered?—A very indirect one, because taking a pilot on board is a matter connected with the master; the largest amount of insurances always have to be taken with reference to the cargo, because, as a rule, the cargoes are four, five, and six times as valuable as the ship, and therefore we receive four, five, and six times as much insurance upon them, and it would be a very irregular mode of getting at the necessity of a pilot by asking the cargo owner.

8255. The machinery is a very simple one; if you put the compulsion upon the owner of the cargo, would he not at once put the compulsion upon the owner of the ship, who is the charter-party?—We insure on a cargo from Calcutta to London. The question whether a pilot is to be taken on board arises upon the last 200 or 400 miles; our insurance being upon the cargo all the way from Calcutta, how are we to bring force to bear upon the man who ships his cargo?

8256. Would not the effect be this, that the moment the underwriter made the exception in favour of a cargo shipped on board a ship which is compelled to take a pilot; do not you think that the merchant in his charter-party would make it a condition with the owner; if the underwriter imposed that extra condition upon the shipper of the cargo, would not the shipper of the cargo impose it as an extra condition upon the owner of the ship?—He might do it.

8257. Would not he do it in the ordinary course of business?—No; I do not think he would.

8258. When he charters a ship he provides that the ship shall be in a certain condition with certain provision of sails, and so on; and in the charter-party it would be no great difficulty to add among the other conditions that upon her approach to any harbour in England, to which she might be consigned, he should take a pilot in any waters in which there was a pilotage jurisdiction?—In fact, you would come round to compulsory pilotage in another form.

8259. It would not be compulsory pilotage except in an indirect form; that is to say, that a man would take a pilot because it was his interest to take a pilot; what I want to get from you is this, whether you do not think that the underwriter, for his own protection, will not in that case impose such a condition upon the shipper of the cargo as would compel the shipper of the cargo to impose a similar condition upon the owner of the ship?—I doubt, from the enormous mass of business that has to be done, whether it could be carried out with anything like efficiency.

8260. The only difficulty you see is that it would be a departure from the usual custom, and that it would take a little time to introduce the new system?—It would be a long time.

8261. That would be the tendency, would it not?—It would be put in the policy, but it would be a hardening of the premium, and people would find themselves in difficulties with the underwriters.

8262. Whether by the hardening of the premium or by a special condition in the policy, in one or other of the two forms, the pressure would ultimately be brought to bear upon the shipper of the cargo, which would compel him to feel a corresponding pressure upon the owner of the ship?—Yes; I think that would be the tendency.

8263. *Chairman.*]

Mr. *A. Tozer.*

20 May 1870.

8263. *Chairman.*] Did the directors of your company instruct you to come here to give evidence?—No.

8264. Have they passed any resolution upon the subject of the Bill?—No.

8265. Mr. *Malcolm.*] We have heard a great deal about the compulsory system by underwriters instead of by the Board of Trade; do not you think that there is a great competition going on at the present moment among underwriters, and that possibly for that reason they could not make the difference you speak of in the premiums?—We would endeavour to do it.

8266. The leading firms might?—Yes; the leading companies would do it.

8267. You do not think that the competition would be so great as practically to make it impossible to enforce it?—I hardly dare answer that question. The tendency of competition is, of course, to make things difficult, and there is a very great amount of competition among underwriters.

8268. Mr. *Wykeham Martin.*] If a ship runs another down, does the underwriter of the ship which causes the accident incur any responsibility?—We have in our policies a collision clause, which makes the underwriter of the ship that does the damage pay three-fourths of the claim. One-fourth has to be paid by the owner and three-fourths by the underwriter. It is a special clause put in the policy.

8269. That is not the case unless it is specially inserted in the policy?—I never knew of a ship's policy in which it was not inserted. It is not in the ordinary reading of the policy; it is inserted afterwards.

Mr. William Barfield, called in; and Examined.

Mr. *W. Barfield.*

8270. Mr. *Pemberton.*] You are a licensed Pilot?—I am.

8271. You are licensed from Gravesend, are you not?—From Gravesend to Dungeness in the South Channel, and Orfordness in the North Channel.

8272. Your station is Gravesend?—Yes.

8273. What is your opinion, if compulsory pilotage is done away with, as to the employment of pilots?—There will be a very great reduction.

8274. You think, if the law is altered in such a way that the shipowners may do as they like about taking a pilot, the employment of pilots will be much diminished?—Yes.

8275. I dare say you have some reasons for that opinion?—Yes, we judge from the practical experience of the late exemptions by Orders in Council from 1855 to 1861. Large exemptions were made then, and we found that they made a large reduction in our income; and if it comes on to the total abolition of compulsory pilotage, as regards the Gravesend branch, I think it will make a very serious reduction.

8276. The Orders in Council to which you refer exempted from compulsory pilotage all ships in ballast, did they not?—That was the result in 1861. It reduced our income one-third, or thereabouts.

8277. It not only reduced your income, but it diminished the employment of pilots?—Yes.

8278. To what extent do you think that was the case?—I should think nearly one-third, but not quite.

8279. You think if this Bill is passed there will be no longer a living to be got at Gravesend?—No, not at Gravesend; we go from practical experience with regard to the late exemptions in ballast ships. If you exempt all ships, I think it will take the largest part of our living away.

8280. I suppose there is a difference of opinion about it in Gravesend?—Yes, in all bodies there is a difference of opinion.

8281. Many of the electors of Gravesend have a difference of opinion. Was not it a question very much discussed at the last election?—I am not an electioneering man.

8282. Now, with regard to compensation, what do you consider would be a fair remuneration. Have you seen the compensation clauses of the Bill?—Yes; I do not call them any compensation at all. I do not see any compensation in them.

8283. Should you be satisfied if the average were taken of the earnings of the pilots during two, three, or five years?—I should think that would be almost the only way you could compensate us. With reference to the compensation in the Bill, I do not think it is any compensation at all.

8284. In the first place the compensation in the Bill postpones any compensation with regard to loss for two years?—It is all permissive; there is nothing certain.

8285. The Bill only gives the Board of Trade power to it when two years have elapsed; it does not compel them to do it?—Yes, and in that two years what are the pilots to do; a man may be ruined in the meantime.

8286. The clauses, as drawn, do not provide for a positive remuneration?—No.

8287. But it is merely this sort of provision, that they may knock off a certain number of pilots?—Yes; if we are to have any compensation, let us know what it is to be.

8288. You think that some sort of compensation, founded upon the average of past earnings, would be a fair provision?—Yes. I think if you took the average of the last three or five years, and guarantee that whatever we fall short in our income shall be made up to us to that amount, of course we should be satisfied if you pass the Bill. The Government say we shall lose nothing by it, and therefore there cannot be any objection to the guarantee to make it up to us.

8289. There is some fund to which you contribute, is there not?—We have a superannuation fund at the Trinity House.

8290. It is all under the same system?—Yes.

8291. As to the unlicensed men, is not the port of London infested a great deal with them?—Very much.

8292. What is your opinion about that?—I think if you do away with compulsory pilotage they will go much faster ahead, and there will be nothing to stop them. You take the piloting away from men that are well known and efficient, and have gone through a thorough examination, and have good employment under the existing Acts of Parliament; when you do away with compulsory pilotage, you will take it out of their hands, and the greater part of it will be put into the hands of unlicensed men.

8293. Or,

8293. Or, at all events, into the hands of men who have not proved their efficiency?—Yes.

8294. Is the navigation of the Thames between Gravesend and Orfordness and Dungeness very difficult?—Any nautical man will allow that.

8295. Do you know what the custom of the law in Norway is, with regard to the compulsory taking of pilots?—I have no positive knowledge of it. I have information from the captains of many of the Norwegian ships, to the effect that there is a law in Norway that if a ship receives any damage in licensed waters, and she has not a licensed pilot on board, a certain amount is to be taken from her policy of insurance. In the policy of insurance, there is a clause that they must employ a licensed pilot in licensed pilotage waters.

8296. Has there been any recent change in the law, as far as you remember?—There has. I have heard from the Norwegian captains that a new law came into force on the 1st January 1870.

8297. Does not it make it compulsory over all ships of 20 tons and upwards to take pilots?—Yes.

8298. What is your opinion of the liability as between the pilot and the owner of the ship?—My opinion is that the pilot ought not to be liable at all for damage. He should be no more liable than the shipmaster is. There ought not to be any more liability upon him than there is upon the shipmaster.

8299. Is the general result of your opinion that you think it would be very detrimental to the public service and the safety of life, to pass this Bill?—I think so, very much.

8300. *Chairman.*] I want to understand what your view is of the compensation which ought to be given under this Bill; in the first place you are not satisfied with the two years?—No.

8301. What time would you be satisfied with?—I do not think there can be any specified time.

8302. You think it ought to be an absolute guarantee of your present income?—Yes, an absolute guarantee.

8303. For the rest of your lives?—Yes. We come in under one Act, and we are put out under another Act.

8304. What are your expectations now; at what age would you be superannuated?—There is no particular age; as long as I have my bodily health and my intellect I shall continue to work.

8305. But the time will come when you will be superannuated?—Yes.

8306. What is the average age at which men are superannuated?—I cannot tell you the average age.

8307. About 65?—We have pilots in the service working at 80 years of age.

8308. That is an exceptional case, is it not?—Yes.

8309. Should you say that, as a rule, the pilots are superannuated at the age of 65?—No; I should say from 65 to 70.

8310. Then what is the superannuation they are to get?—The rate is very small at the present time. I think their superannuation would be 28 *l.* a year.

8311. What is your average income now?—£316; that is for the last five years.

8312. And when you are superannuated you will only get 28 *l.*?—Yes; but I do not think that my income ought to remain at 316 *l.* a year. I think it should go on; it ought to rise; every other profession does. I ought to expect to get more and more every year of my profession.

8313. Is it your experience that pilots do get more and more as they get older?—Generally speaking they get a better connection. A man comes into the service, and he expects, as he goes along and becomes more efficient, and gets more privileges, to obtain a larger salary.

8314. You do not wish the Committee to understand that, up to the age of nearly 70, the man's income is to go on increasing?—No; certainly not.

8315. Your expectation is that you should get something like your present income; and at the age at which you are superannuated that you should get a pension of 26 *l.* a year?—Yes.

8316. I need hardly point out that under your proposition, if you were guaranteed your present income to the close of your life, your position would be very much better than your present one?—Perhaps it might be, and perhaps my salary would get much higher than 316 *l.* a year, and I might save it, which would make the latter end of my life much easier.

8317. You think, on the whole, that you might take this opportunity of making your position much better?—It is not our fault that you are going to do this. We held good situations before entering the service under the present Act of Parliament, and had good prospects before us.

8318. You are not very well satisfied with the pensions you would get on superannuation?—No; I cannot say that we are.

8319. Mr. *Pemberton.*] You would be glad to have more?—Yes.

8320. *Chairman.*] What proportion of your employment comes from vessels not bound to carry pilots?—Speaking of the station at Gravesend, where they are not compelled to take pilots, I should think nearly half.

8321. I suppose there are a very large number of vessels that come to London with cargoes which then proceed to other ports in ballast?—Yes.

8322. And those vessels do employ pilots though they are not bound to do so?—Some of the foreign vessels do so, not the English.

8323. Half of your present employment comes from vessels which are not bound to carry pilots?—I should think so, down at Gravesend.

8324. It will not fall off, will it?—I think it will.

8325. Why?—If this Act comes into force you will bring a separate class of men into the field altogether.

8326. But all the present pilots will exist?—Yes.

8327. What reason is there to believe that those vessels that are now not bound to carry pilots, and which still employ you to the extent of half your employment, will not continue to do so?—That is only half our employment.

8328. But would not that half of the vessels continue to employ pilots?—No, they require a very great deal of looking after to get that employment now.

8329. Why?—If they could do it they would take another class of men.

8330. Are you aware that there are the same precautions under the present Bill as there are under the present law?—Yes.

8331. Therefore, whatever facilities you have now

Mr. *W. Barfield.* 20 May 1870.

now of preventing men taking unlicensed pilots, you will have under the present Bill?—Yes.

8332. Those vessels will continue to employ pilots, and you would have the same opportunities of forcing them to carry pilots in lieu of other unlicensed persons?—Yes.

8333. Now you say that half of your employment is in respect of vessels which are bound to carry pilots?—Yes.

8334. Those vessels are, many of them, of the same class as those which are outward bound, which are not bound to carry pilots?—Yes, all of them.

8335. A great number of them are foreign vessels?—A portion of them.

8336. What proportion should you say are foreigners?—Perhaps one-fourth.

8337. Not more than that?—No.

8338. Surely, more than that?—No, not of those that are compelled to take pilots.

8339. They would all carry pilots, would they not?—A great many would.

8340. You just told us that the great proportion of those vessels which are not bound to carry pilots, are foreign vessels?—Yes.

8341. And that shows that foreign vessels want pilots more than English vessels, does it not?—Yes.

8342. Does not it follow that the foreign vessels now bound to carry pilots will continue to carry pilots?—Yes, I should imagine so.

8343. Then I imagine that a considerable portion of British vessels that are now bound to take pilots outwards, will continue to take pilots?—No; I think with reference to the Gravesend station, not one would; I was looking over my books for the last nine years, and I could not average two British ships in a year, which if this law should pass, would have taken my services at Gravesend.

8344. You mean from Gravesend to Dungeness?—Yes.

8345. You told us that a considerable number of vessels not bound to carry pilots do employ you?—Of foreign vessels.

8346. Are they all foreign vessels?—Yes; there is not an English vessel amongst them. I should say that there was not one English vessel a year that was exempt from pilotage.

8347. Sir *Charles Wingfield.*] Are you working the south channel, or is it mainly the north channel that you work?—I work both channels.

8348. *Chairman.*] Do you allude mainly to the north channel?—I work both channels equally; I allude to both channels.

8349. Are there a considerable number of English vessels coming to the Thames in cargo which go round in ballast to Liverpool?—Yes.

8350. Those are not bound to carry pilots, are they?—No.

8351. But they take pilots, do not they?—Not one out of 50 did so until lately. Smith's service have employed pilots lately with the Glasgow ships.

8352. Do they employ tugs?—Yes; but not one English vessel out of 50 that leaves London in ballast employs a pilot.

8353. Sir *Charles Wingfield.*] Either north or south?—Either north or south.

8354. *Chirman.*] Even though they employed a tug?—Yes; from 2,500 tons downwards the English vessels in ballast invariably refuse the services of a pilot.

8355. Do they take a pilot down as far as Gravesend?—Some of them, and some do not.

8356. Is it not the fact that nearly all of them do?—I do not pay a great deal of attention to the pilotage there.

8357. Do not they take pilots?—Some do and some do not.

8358. Do you imagine that your employment will mainly depend upon foreign vessels?—Yes; at the Gravesent Station.

8359. What proportion of your employment is now due to the north channel of the Thames?—I think more than half.

8360. Then that employment will not fall off?—I think it will.

8361. Why; they are vessels that are not bound to carry pilots, are they not?—Yes; but they are getting very much into the habit of not carrying pilots.

8362. If they find in practice that they do not want pilots, their declining to take pilots will not be in consequence of this Bill?—The foreigner will imagine that the compulsory pilotage is done away with; at the present time I believe a great number of vessels that go down the north channel believe that they are compelled to take pilots.

8363. Are you aware, as a fact, that they are compelled under their policies to carry pilots?—Not as a fact, but I have been told so; but that is getting very much relaxed.

8364. Do you find, in practice, that the proportion of foreign vessels that carry pilots is getting less?—Yes, we do. Some of them attempt to navigate the channel; some do manage it, and a great many have somebody else to manage it for them.

8365. Still half of your present employment arises from vessels not bound to carry pilots?—Yes, at Gravesend station.

8366. Sir *Charles Wingfield.*] It is provided in the Act of 1854 that pilots should be separately licensed from London to Gravesend, and from Gravesend to the Downs?—Yes.

8367. It has been provided since that time that pilots should not be licensed the whole way from London to the Downs?—Yes, that no pilot should hold a license above and below Gravesend.

8368. In the Bill before the Committee it is proposed to abolish that instruction, and to let a pilot be licensed the whole way from London to the Downs?—I see nothing about it in the Bill.

8369. It is proposed to abolish that distinction; that distinction is not in the draft Bill as it is now before the House?—It will do away with that clause in the Bill.

8370. Would you approve of a change of that kind?—Perhaps I should approve of it.

8371. Are you aware that some of your body, who are licensed from Gravesend to the sea, have brought a paper here remonstrating against the objection which has been made by the river pilots above Gravesend to the pilots being licensed the whole way?—I am not aware of it; still, if they have done so, I do not see why they should not do so.

8372. You would prefer to have your licenses extended up to London, would not you?—If I cannot get a living at the station at Gravesend I should wish to have my license extended to London.

8373. Do you consider that the pilots who are licensed all the way from London to the Downs earn

earn a better living than you do?—Yes, they earn more money.

8374. Therefore, it would be an advantage to you to be licensed the whole way?—Yes.

8375. The unlicensed pilots; that is the men called the free watermen, do not take vessels much below Gravesend, do they?—I do not know much about them; there are a number of unlicensed men who do take vessels below Gravesend; I do not know what class of men you allude to.

8376. I mean the men who, on the Thames, are called the watermen pilots?—I do not know anything about them.

8377. They do not interfere with you below Gravesend?—No.

8378. Could you and your class of pilots who are licensed from Gravesend to the Downs, do more work and earn more money than they do at present?—Yes, a very great deal more; double and treble.

8379. What limits the amount of work which you at present do?—The number of ships that come down.

8380. And the exemptions?—The exemptions limit it decidedly, and the employment of another class of men limits it as well.

8381. I understood you to say that the watermen pilots do not much interfere with you below Gravesend?—I am not talking of the watermen pilots; there is another class of men whom we call coasting pilots; they are quite distinct.

8382. Do you mean the Deal boatmen?—Yes; and likewise other men that navigate down below Gravesend.

8383. On the whole, you would prefer to have your licenses extended up to London?—If the present Bill comes in force, decidedly we should.

8384. Mr. *Stevenson.*] Would not it help you a good deal if you got the liberty of going between London and Gravesend?—Yes, it would help us.

8385. Before you were a pilot did you command a ship?—Yes, 14 years.

8386. Do you know the navigation of the Thames above Gravesend?—For the first seven years I commanded a vessel that was exclusively in the north and the south channel of the Thames, and for which I now hold a license; and during that seven years I do not suppose I employed a pilot more than two or three times. That was the time when pilotage was much more compulsory than it is at the present time.

8387. You considered yourself quite competent to navigate a ship between London and Gravesend?—I think I was during the seven years.

8388. Have you alone among the pilots that capacity?—No; there are half our service that are the same.

8389. The old pilots who have that privilege are in a much better position than you are, are they not?—Yes.

8390. Is it not the case that shipowners have an inducement to employ a single pilot the whole way by the fact of their being able to get the pilotage done at a reduced rate?—By employing one pilot instead of two, there is a considerable difference in the rates.

8391. The saving upon a vessel of 20 feet draught is as much as the difference between 20 *l.* and 24 *l.*, is it not?—I should think it is.

8392. So that the shipowners are induced to prefer the old pilots who take the vessel the whole way rather than employ you?—Yes, it makes a very great deal of difference.

8393. It operates against your employment, does not it?—Yes.

8394. Are you not supposed to be constantly stationed at Gravesend?—We are stationed at Gravesend.

8395. And you are supposed not to leave your station to look for employment?—I cannot answer that question, to say that we are not supposed to do so; we are allowed to look for our living in London.

8396. Is not it considered a hardship for the pilots to have to keep their station?—Yes, the station has to be upheld, and a certain portion have to keep there and uphold the station.

8397. And those men who keep at the station are worse off for employment than those men who leave the station?—Yes.

8398. So that the present system offers a disadvantage towards those men who are at their station most constantly?—Yes.

8399. Not only would it be a great saving to the shipowners to allow you to pilot a ship the whole way, but it would be a fairer thing to the pilots who hold on to their stations?—I think so, under existing circumstances; it is not the feeling of the entire body that they should be removed from Gravesend, but if the present Bill should come into force they must do it.

8400. There are no ships at Gravesend?—No.

8401. They all come from London?—Yes.

8402. Do they stop at Gravesend long?—Not at all sometimes.

8403. They are towed past?—Yes.

8404. Is there any good reason for making a pilot station at Gravesend?—I never knew the reason why it was made, but it was made in 1854.

8405. Do you know the reason of the change in 1854?—No; it was before I entered the service. I entered the service in 1857.

8406. You would like to see all the pilotage thrown open to Gravesend, whereby there would be only a single body of pilots instead of two bodies, all sharing what was going?—Yes; we are all supposed to be of the same ability, and we ought to have the same privileges.

8407. You complain a great deal of the unlicensed men?—Yes.

8408. What inducement have the captains of vessels to employ unlicensed men, who cannot be as qualified as you are to do the work?—£. s. d.

8409. They do it cheaper?—Yes.

8410. If you did it cheaper might not that help you?—Respectable men cannot do it cheaper than at the rate of the present rate of pilotage.

8411. If you had more work, would not it be better to do larger business with lower rates?—I think our rates are low enough for respectable men to work by. I have found it so.

8412. What difficulty practically is there to prevent you detecting the unlicensed men, and punishing them?—The subterfuges they use and the schemes they have to prevent us doing so. We are in a boat pulled by two men; if ships come down with unlicensed men on board, we know that they are there. I have known them passed dressed up with a bonnet and shawl, as a woman; at other times we have succeeded in

Mr. *W. Barfield.*

20 May 1870.

boarding the vessels with these men on board, and we have found them stowed away in different places. I have even found them in the captain's bed; at other times in the closet, and so on.

8413. What steps have the Trinity House taken to prevent these men intruding into your office?—I am not aware of any; I think it is left entirely to the pilots to protect themselves. We have the law to protect us where we find these parties, and that would be our answer if we complained to the Trinity House.

8414. Where do the unlicensed men get on board?—In London.

8415. If you were allowed to get on board in London, would you have a better chance of detecting those men?—These unlicensed men are all in exempted ships, and the captains can refuse your services as the ships come out of dock.

8416. What does the captain actually save in money by employing these men?—Half, generally. These men have, generally speaking, neither character to study nor anything to lose.

8417. They pass no examination?—No.

8418. What kind of experience have they which enables them to do what they do?—Some of them are old masters of vessels; some of them never knew what it was to have the charge of a vessel; some of them have been before the mast; some have been one thing and some another, and by going continually backwards and forwards, they get a knowledge of the channels. There is not a doubt about that.

8419. Then the continuance of compulsory pilotage does not do anything to protect you from what seems to be your greatest source of injury?—It has always been a great source of injury to us at the Gravesend station.

8420. *Chairman.*] I observe from the returns that there are 50 pilots at Gravesend who are licensed to pilot to sea by the north or south channel, and 50 pilots who are licensed from London by the north and south channel?—Yes; 100 altogether.

8421. With regard to the 50 pilots from Gravesend to the sea by the north and south channels, are they all within the rule, that half of their earnings come from the north channel?—I would not say all; several of the pilots come up to London and seek for work.

8422. Take the average of the men getting on board vessels at Gravesend?—The average is very small. I do not suppose, at the present time, that there is more than half the pilots working at the station at Gravesend.

8423. What are the others doing?—They obtain employment up in London.

8424. And they leave their station?—Yes.

8425. They are not piloting, are they?—Yes, they are piloting; they seek their work up in London.

8426. They are choice pilots?—They are entirely choice pilots; the object of choice pilots is that the shipowner or the shipmaster should have an opportunity of engaging or choosing their pilots; that was the object, and it has been so for many years; but I think it is turned a great deal the other way; it is not the shipowners that choose the pilots, but the pilots choose their ships.

8427. Mr. *Stevenson.*] The men, instead of staying in their boats at the station, leave the station and go up to London to canvass for employment?—Yes.

8428. Through what channel do they get employment; from the shipowners themselves?—No; only part of them.

8429. And do not some of them get employment through interpreters?—Yes.

8430. And I suppose they get a commission on the pilotage?—Yes.

8431. *Chairman.*] What is the number stationed regularly at Gravesend?—I should think not more than 20 out of the 50 of us are permanently engaged at Gravesend.

8432. Are you one of the 20?—I am.

8433. Should you say that half the employment of those men is due to the north channel?—Yes.

8434. And more than half from vessels not bound to take pilots?—Yes.

8435. Of those pilots that are up in London seeking employment, a great many of them are also employed by vessels not bound to carry pilots?—No doubt about it.

8436. About the same proportion?—I should say nearly so.

8437. Do you often get employment to take vessels down below Dungeness?—No; there are pilots licensed to the Isle of Wight.

8438. Are there pilots licensed to the Isle of Wight?—Yes.

8439 Are they London pilots?—Yes, many of them.

8440. Do they get employment to some extent?—Yes.

8441. Even beyond the compulsory district?—Yes.

8442. A considerable number of large vessels employ them?—Yes, they are the class of vessels that do employ them, not the other large passenger ships.

8443. Those are outward pilots?—Yes.

8444. Do not you consider that if vessels were to carry their pilots beyond Dungeness, beyond the limit of the compulsory district, those vessels would also continue to employ pilots after the compulsory pilotage is done away with?—I think not.

8445. Why?—I think at the present time they often take a licensed pilot, because they consider that under the present law they are responsible for damage.

8446. They are not responsible beyond the compulsory limits?—I do not know that it is beyond Dungeness, but that is a question I cannot answer.

8447. You know where the limits are?—The limits are down to Dungeness.

8448. I talk of beyond that?—They are all a large class of vessels and passenger ships, and there are certain men that would take them.

8449. I ask you as a pilot, would those vessels continue to take pilots?—Perhaps they may, but there is only a certain number of pilots employed by those vessels.

8450. How many should you say of the outward-bound vessels would employ pilots?—I should say a fourth of them, barely that.

8451. In your opinion, would the employment of those men fall off?—Perhaps not. I believe the Bill, if it passes, will affect some more than others.

8452. Those are vessels that take pilots beyond Dungeness, are they not?—Yes; I do not doubt that a certain quantity of vessels will always take pilots.

8453. Do you speak of the larger class of vessels?—

vessels? — Yes, but still there are a certain quantity that will not take pilots.

8454. In your opinion foreign vessels will continue to take pilots?—I do not think a great many of them will. I think we shall even find a great reduction in foreign vessels.

8455. Sir *Charles Wingfield.*] I believe you said that many years ago, when you were master of a vessel, you used to take your vessel up the Thames above Gravesend?—Yes.

8456. At that time had you a certificate from the Board of Trade as a pilot?—No, it was before certificates came in vogue.

8457. Early in life had you served an apprenticeship in the river?—Not in the river.

8458. You acquired your knowledge of the Thames above Gravesend simply from taking ships up?—Yes, by practice.

8459. *Chairman.*] Do the choice pilots that go up to London to seek vessels pilot them from London downwards?— No, they stop at Gravesend till the vessel comes down.

8460. And sometimes a good portion of them come up to London to look after employment?—They do, or their agents do it for them.

8461. They are not regularly on a station in the way in which you are?—No.

8462. Sir *Charles Wingfield.*] Does the superintendent of pilots at Gravesend allow them to go and seek employment; is it not prohibited?—No, it is not prohibited.

8463. *Chairman.*] Is there any want of supply of pilots for outward-bound vessels at Gravesend?—No, there is never a want of supply. There is sufficient to supply all that come there.

8464. Mr. *Pemberton.*] Is it necessary that a certain number should be there according to the rules of the Trinity House?—Yes, there must be a certain number by the rules of the Trinity House.

8465. And if there is a sufficient number to comply with the order of the Trinity House, that will do?—Yes.

8466. *Chairman.*] You are not licensed to bring vessels up to London, are you?—No, I work the south channel from Gravesend to Dungeness, and *vice versâ*; the north channel only downwards.

8467. Do you pilot vessels beyond that point?—Yes, under certain formalities, if we are required.

8468. But as a rule you do not?—No.

8469. They are left alone?—Yes.

8470. I suppose they would not take you on board a pilot vessel at Dungeness, would they?—By undergoing a certain formality, they would.

8471. What is that formality?—Signing that I am on the roster; that is by putting my name on a list there is nothing to prevent my going down there.

8472. I suppose it answers your purpose better to come home and be ready for another outward-bound vessel?—Yes, I might be there a fortnight or three weeks, or more.

8473. Do the inward pilots confine themselves to inward pilotage?—Yes.

8474. They do not stop at Gravesend?—No.

8475. You think, on the whole, that that is an economical arrangement that the two sets of pilots should be kept distinct?—Yes.

8476. On the whole, there is a saving in that way?—Yes.

8477. Mr. *Cave.*] I thought your objection to the station at Gravesend as compared with London, was that you would prefer having one pilot from London to Dungeness without any change at Gravesend?—Yes, the further you extend my license the better it is for me.

8478. Under the present law you cannot do that?—No.

8479. What would happen if you tried to take a vessel higher up; if a vessel did not want to stop at Gravesend and wanted to go on to the London Docks without stopping at Gravesend, what would the practice be?—They would have to hoist her jack and get a river pilot.

8480. A river pilot would come on board?—Yes

8481. And if she did not do that, she would be subject to a penalty, would she not?—I cannot tell you whether she is obliged to hoist her jack when she arrives at Gravesend coming upwards.

8482. A good many vessels come direct to the London and Victoria Docks, do not they?—Yes; the river pilots are always in attendance on them.

8483. The pilots get on board at Gravesend without stopping the vessel, do they not?—Yes; they generally board the vessels after the Custom House boats have left.

8484. How far do the tugs bring them up?—Some of them bring them up from Beachy Head, and even further than that.

8485. Do they bring them up to the dock gates?—Yes.

8486. The same tug?—Yes, the same tug.

8487. *Chairman.*] Are there many foreign vessels towed in the north channel by tug-boats?—No; they cannot afford it; we seldom have a vessel towed in the north channel downwards, and upwards they seldom take a steam-tug till they arrive above the Nore or Gravesend.

8488. There are very few outward-bound ships that take tugs?—They invariably tow from London to Gravesend; many of them do it to evade pilotage; they tow past the pilotage station; it is much easier to evade a pilot with a steamboat ahead than under canvass.

8489. You know what class of men the inward pilots are in the north channel?—Yes.

8490. Are they much the same class of men as the other pilots?—They are the same class of men.

8491. They do not make quite such large incomes, do they?—I think, according to the statistics I gave you just now, they are earning much the same as I am.

8492. They are much the same class of men as those in the south channel?—They are perhaps a little rougher than we are.

8493. They have rather rougher work, have they not?—I do not know that they have; they have more knocking about in the cutters than we have.

8494. Otherwise they are much the same class of men as you are, are they not?—Yes.

8495. Mr. *Pemberton.*] Is it not possible that the same men may have a license to pilot a ship from London to Gravesend, and also from Gravesend to Dungeness?—No, not under the existing law. The law is, that no man shall pilot a ship above and below Gravesend. If I have a license from Gravesend to London, or from London to Gravesend, I cannot hold a license below Gravesend.

8496. Is that the Trinity House regulation?—No; it is by the Act of Parliament.

Mr. WILLIAM DAINES, called in; and Examined.

Mr. *W. Daines.*
20 May 1870.

8497. Mr. *Pemberton.*] I BELIEVE you are a London sea pilot?—Yes.

8498. You take charge of vessels from London to the Isle of Wight?—Yes.

8499. And anywhere in the north channel, I believe?—Yes.

8500. Beyond Dungeness the pilotage is not compulsory, is it?—No, it is not compulsory beyond the Downs.

8501. I think you have been a pilot 25 years?—I have.

8502. And you are well acquainted with the working of the whole system?—I am.

8503. What is your view with regard to the question of the abolition of the present system?—I think if the Bill passes there will be a great many wrecks and loss of life in the winter time, and I also think that there will be a great falling off in our earnings.

8504. Do you think there will be a great additional danger to life and property if it should be left optional to take a pilot or not?—Yes.

8505. Do you consider that, under the voluntary system, it would be likely that a sufficient number of available men would be found always ready to discharge the duties required of them?—No; it would not pay them to do so.

8506. You feel sure, do you not, that the employment of pilots would fall off if the voluntary system were adopted?—Yes; I am sure that the most skilful and careful man in the service could not hold his position a day, if the Bill should pass.

8507. I believe there have been some changes of late, so far as the exemption of some ships is concerned?—Yes.

8508. And the effect of the change has been to diminish the employment, and thereby the earnings, of the pilots?—Yes.

8509. Have you read the compensation clauses of the Bill?—Yes.

8510. I presume you do not think that there is much compensation in them?—No; I do not think there is any compensation in them.

8511. Have you formed any idea what would be fair in the way of compensation, and what you consider the pilots would be satisfied with?—The London pilots would be satisfied with half of their individual earnings for the last three years, retaining their license to do what they choose with the other half.

8512. *Chairman.*] That is an addition to what you might earn besides?—Yes; because we should not earn much afterwards.

8513. Did you hear what the last witness said about the unlicensed men?—Yes.

8514. Do you agree generally with what he said on that subject?—Yes; they are a great drawback to us. We cannot get hold of them. We cannot find out when they are piloting.

8515. In fact, the regulations which prevent them from being employed, and which give you the power to supersede them, are evaded?—Yes; we have power to supersede them if we can get hold of them; but they have so many means of evading us that the law is practically evaded, and we cannot get hold of them at all.

8516. Have you formed any opinion with regard to the question of liability between the shipowner and the pilot?—Yes, I think it ought to be ship for ship in the way of damage; but the pilot ought to be liable to his employer, not to the owner of the ship he has damaged, to the extent of 100 *l.*

8517. You think that the ship run down ought to be able to recover against the owner?—Yes; and the pilot ought to be liable to the owner for 100 *l.*, assuming that he is in fault.

8518. Probably 100 *l.* will be as much as a pilot can pay?—If he had to pay it two or three times a year, it would affect his earnings; it is enough to make him careful.

8519. A pilot does not often run down a ship, does he?—Sometimes he does damage, and he has to pay it, or he has to resist an action; it is enough to make him careful.

8520. Sir *Charles Wingfield.*] I believe you are licensed from Gravesend to the Downs?—No; I am licensed from London to the Isle of Wight.

8521. There are some pilots licensed from Gravesend to the Downs, are there not?—Yes.

8522. I believe those pilots want to have their licenses extended to London?—They do.

8523. Should you object to that?—No; I do not see why they should not be so extended.

8524. Do you think that it would hurt you?—Yes, I think it would; I do not say I do not object to it.

8525. You say you do not see why they should not?—They seem to think that they have as much right to it as we have; if you think so, I cannot say anything about it.

8526. I understood from what you said, that you believed they had good reason on their side?—The reason is, that they want to get more employment.

8527. But you have better employment than they have, have you not?—We have a little advantage being in London, but as we die off they will get it.

8528. According to the new Act, it would be provided that pilots should be licensed from London to the Downs; that is omitted from the new Act, is it not?—I have not seen the new Act.

8529. So that according to the new Act pilots would henceforth be licensed from London to the Downs, and your number would be augmented instead of diminished?—Yes.

8530. You were talking about the unlicensed men; those unlicensed men do not take vessels below Gravesend, do they?—They take as many below Gravesend as they do above it.

8531. That is another class, is it not; not the Thames men?—The watermen pilot above Gravesend, and the old captains of ships, and another class of men altogether, go below Gravesend; there is as much unlicensed work below Gravesend as above it.

8532. Is there not a different class of unlicensed men below Gravesend to that which is above Gravesend?—I do not know that.

8533. They are different bodies of men, are they not?—One pilot does not go in two ships.

8534. The same ship goes from the Downs to the Port of London, does it not?—Yes; but the same man does not go below Gravesend that goes above it; they are watermen that are above Gravesend.

8535. There are two different bodies of men, are there not; one takes the ship above Gravesend,

end, and one below Gravesend?—Sometimes a waterman goes right down.

8536. *Chairman.*] What proportion of your employment comes from vessels not bound to carry pilots?—All my employment comes from vessels that are bound to carry pilots.

8537. I suppose you are a choice pilot, and your employment takes you sometimes out beyond Dungeness?—Yes.

8538. Are you very often employed beyond Dungeness?—Perhaps about one-fourth of my time.

8539. How far; do you sometimes go as far as the Isle of Wight?—Yes.

8540. I presume you would consider that those vessels would continue to employ pilots?—According to the feeling I hear expressed, I think they would.

8541. Even though they now employ you beyond the limits, they are bound to employ you?—Yes; I think under the new Bill they would not feel inclined to do so.

8542. I suppose they pay you extra?—Yes; there is a certain rate from the Isle of Wight to the Downs.

8543. What is the rate?—The rate to the Isle of Wight would be 9*l.* more than it would be to the Downs.

Mr. *W. Daines.* 10 May 1870.

8544. One-fourth of the vessels take you down to the Isle of Wight?—Yes.

8545. Your employment is in respect of large vessels which are towed down?—We are towed down just as we require it.

8546. Have you any doubt that large vessels will continue to carry pilots?—I think a good many will not.

8547. Do you mean outwards?—Yes.

8548. Do you think the same would apply with vessels going inwards?—I think it will not be so inwards; they will get hold of tugs below, and the tugs will bring them right up past the pilotage ground.

8549. I believe the tug takes its orders from the captain of the vessel, or his pilot?—Yes; the tug does not stand any risk.

8550. If a tug took the piloting of the vessel, the owner of the tug would take the responsibility upon himself?—They would not take the responsibility; they would not pilot the vessels.

Mr. Richard S. Triphook, called in; and Examined.

8551. Colonel *Bourne.*] What are you?—I am Commander of one of the mail packets between Holyhead and Kingstown.

8552. How long have you been in that service?—I have been in my present ship 10 years.

8553. Do you find the Dublin pilot system well conducted?—Remarkably well.

8554. Are the cutters good and efficient vessels?—Very much so; they are kept in very fine order, and the men are very attentive, and the service is very well regulated in every way.

8555. Do you fall in with the pilot cutters cruising at sea in heavy weather?—Almost daily; they keep the sea in very bad weather.

8556. And they keep the vessels well supplied with pilots in heavy storms, do they not?—Yes, remarkably well, considering the weather they are out in; so much so, that they are frequently not able to board the vessels; they run up, but they must run ahead of the vessels and lead them up.

8557. Are there many sand banks in the neighbourhood of Dublin, and of the Wicklow coast?—Yes; a great many.

8558. Do you consider it probable that many wrecks would occur on those dangerous shoals if the present pilot system were less efficient than it is?—No; I do not think there would; because they cannot keep outside the banks in very heavy weather.

8559. Do you find that the Dublin pilots, whom you employ in your steam vessels, are very good and efficient men?—Very much so.

8560. Have you ever had any complaint to make of them?—They have invariably given the greatest satisfaction.

8561. Are they always attentive and obliging?—They are always attentive, obliging, and sober.

8562. What is the length of the Dublin pilotage district?—I think it is from about 50 to 55 miles.

8563. Does it extend from Rock-a-bill to the South Arklow Lightship?—Yes.

8564. Do you think the pilot service of Dublin could be as well conducted with fewer pilots?—It is very hard for me to tell, because I cannot say what number of pilots there are.

Mr. *R. S. Triphook.*

8565. Is it not the case that the neighbourhood of the coast of Dublin is frequently obscured by haze?—Yes, very frequently; so much so that we are obliged to have guns in the Kish Lightship to lead us in.

8566. You think it is essentially necessary that the pilots of Dublin should have local knowledge of all the banks that are there?—Yes.

8567. Do you always find them at their posts?—Yes, we seldom or ever go into Dublin without there are two or three pilot-boats, and sometimes more, cruising about.

8568. Do you think that the entrance to the port of Dublin is intricate and difficult?—Yes, I think it is difficult.

8569. In your opinion the compulsory pilotage system keeps the pilots regularly and practically at their duties; is that so?—I daresay if those men were not compelled by a compulsory Act, they would go out just as well, and do their work just as efficiently. I cannot say a word derogatory of them. The men ought to be well paid if their services are done away with. They are good and efficient men in every way.

8570. *Chairman.*] I suppose the vessels of your company are navigated by captains who have got certificates of pilotage?—Yes, they are all certificated pilots; they have all passed an examination as pilots.

8571. Have they any difficulty in finding their way into the port of Dublin?—None whatever; they could not pass the examination if they had; not more than the usual difficulty of any port.

8572. What is your opinion, in the event of this Bill passing into law, as to the supply of competent pilots. Have you any doubt as to whether there will be competent pilots or not?—I think it is a great question. The pilot body of Dublin are commanded by a naval officer, commander in the Navy, who is extremely strict, and he gets the vessels to sea in all weathers. Whether the men, when acting for themselves, would go out in bad weather, I cannot pretend to say.

Mr. *R. S. Triphook.*

20 May 1870.

8573. You cannot form an opinion upon that point?—No.

8574. In your opinion will a considerable number of masters that now come to Dublin, that are bound to take pilots, still continue to take pilots if this Bill is passed?—Not one of the coasting vessels would; and I think it a great hardship to compel coasting vessels that make 10 or 12 voyages in the year to take pilots; though it is to the benefit of the pilots, it is hard upon the shipping trade to make them pay for pilots when they do not want them.

8575. That is the case now; that a great many of these vessels are bound to take pilots when they do not want them?—Yes.

8576. And when they could easily do without them?—Yes, they could do it themselves.

8577. Then the navigation is really very easy?—It is so far simple that a man who is coming month after month, perhaps a dozen or 14 times in a year, becomes a pilot himself. I would be a great advocate for making it compulsory on foreign ships to take pilots, with this exception, that I am very sure not one foreign ship will come to Dublin, or almost any other point, without taking a pilot who will not be glad to get them.

8578. At present, coasters coming to Dublin are bound to carry pilots, are they not?—Yes.

8579. And you think that they ought not to be compelled to carry pilots?—Yes; it is a hardship for any man to pay for a thing he does not want.

8580. As regards foreign vessels, you think, even if they are not compelled to take pilots, they will take them?—Yes; I know that men will pay double and treble the amount of pilotage to get a pilot there. I should be sorry to think that the Dublin pilots were not going to be provided for; if their establishment is done away with, they ought to be well pensioned.

8581. Colonel *Bourne.*] You say that all coasters have to pay for pilots; is not there a limit for that; do coasters under 50 tons pay?—I think not, to Dublin; I am not sure.

8582. *Chairman.*] Is not the main trade of Dublin the coasting trade?—Yes.

8583. And there are very few foreign vessels at all there?—There are a good many large vessels come there.

8584. Comparatively, there are very few?—Comparatively speaking, with regard to Liverpool, London, or Bristol very few indeed; the number that come there would not pay for the keeping of a good pilotage establishment.

Mr. James Doyle, called in; and Examined.

Mr. *J. Doyle.*

8585. Colonel *Bourne.*] What are you?—A Dublin pilot. I am the master of a Dublin pilot cutter.

8586. How long have you been a pilot?—It is 35 years since I first joined.

8587. Have you received any testimonial from the French Government for saving life in Dublin Bay?—Yes, one; I have got it about me at present.

8588. Do you know when the pilot system was first established in Dublin?—It is over a century ago.

8589. How is it constituted; how many pilots are there?—Forty.

8590. When was the alteration made in the then existing law with regard to pilotage in Dublin; do you remember the date when that was done?—No.

8591. Did not the Ballast Office in Dublin compel you to change the wherries into cutters?—Yes.

8592. Did the Ballast Office insist upon there being longer cutters than previously?—Yes.

8593. Who paid for those cutters?—The pilots, out of their earnings, but the Ballast Office first.

8594. Did the pilots pay a proportion of their earnings for the purchase and maintenance of those larger cutters?—Yes, by deductions.

8595. Did the cutters remain under the charge of the Ballast Board?—Yes.

8596. But they were paid for by the pilots?—Yes, by share of earnings.

8597. How are those cutters supported; are they supported from the earnings of the pilots now?—Yes.

8598. What proportion of your earnings do you pay to support these vessels?—One-fifth of the gross earnings, and 8½ per cent.

8599. Does that go to the Dublin Ballast Board for the maintenance of the cutters?—Yes.

8600. Have you any power over the expenditure of the money?—No.

8601. It is so much taken from your wages?—Yes.

8602. Are the banks covered at low water?—Some are barely covered.

8603. Are the currents very strong?—Very strong.

8604. All over the Bay?—Yes; and about the banks very strong.

8605. Do the sands shift very much?—They do from time to time.

8606. In consequence of floods, and from the sands washed down the river Liffey, they are frequently changing?—Yes.

8607. Is it necessary that the masters of vessels trading to Dublin Bay should be thoroughly well acquainted with the changes in the banks?—They should be well acquainted with them.

8608. Are fogs very prevalent on that coast?—Very often.

8609. Have there been many large ships wrecked or injured by being driven on to the banks in Dublin Bay?—A great number.

8610. Do vessels frequently strike upon the bar there?—Very frequently.

8611. Have the pilots to commence by serving an apprenticeship?—Yes.

8612. For how long?—Four years.

8613. And have you, then, to undergo a very strict examination before you are licensed?—Very strict.

8614. Do you consider that you are a very efficient body?—Yes.

8615. Have you enough pilots in Dublin for the wants of the port?—About enough, not too many.

8616. Are there many ships and steamers passing up the Irish Channel near the Bay of Dublin, without coming into or leaving the port of Dublin?—A great number.

8617. Do they often take pilots?—They never take pilots.

8618. Do they ever ask any pilots for any assistance in passing these different banks into the Bay?—They very often do.

8619. Is any charge made for that?—Not a penny.

8620. Do

8620. Do the pilots of Dublin very often give their advice to foreign vessels going up and down the Channel without exacting any fee or pay for it?—Very often.

8621. What is the duty of the pilots with reference to these vessels when they come near the banks; what have you to do then?—To warn them off; to go and speak them, or dip the colours at the masthead to let them know they are approaching the banks; to go round and wear the ship off the bank.

8622. Are you paid for that duty?—Not a penny.

8623. Are you obliged to be at sea in all sorts of weather?—Always night and day.

8624. And many pilots have lost their lives, have they not?—A great number.

8625. If I understand you right, vessels passing up and down the Channel, although close to the banks of Dublin, are not compelled to take pilots?—No.

8626. They are only compelled to take pilots if they enter Kingstown Harbour or Dublin Bay?—That is all.

8627. But you frequently advise vessels that do not enter into those harbours?—We do.

8628. For which you get no pay?—No.

8629. How many pilot cutters are there?—Five.

8630. What number of men are there in each —Twelve.

8631. What are the services of these men generally; are you the oldest pilot?—I am not.

8632. Have you been the longest in the service?—No; there is one man who has been in our service 49 years; he is the master of one of the boats.

8633. Is he still an efficient pilot?—He is an efficient master; he does not go aboard ships now.

8634. What is the income of the master pilots; what do you get a year?—About 112 *l.*

8635. What does the mate get?—£. 12 less than that.

8636. What does the first pilot get?—From 86 *l.* to 88 *l.* a year.

8637. And what does the second pilot get?—The second would be five-sixths of that.

8638. Do you know the number of persons that depend upon the pilots at present for subsistence?—About 400.

8639. Are those all wives and children of pilots, or pensioners as well?—Wives and children and pensioners.

8640. From what fund are they paid?—From weekly subscriptions from the pilots' earnings.

8641. Is that deducted from their earnings, whether they wish it or not?—It is deducted from their earnings.

8642. And put into a fund?—And put into a fund.

8643. If the compulsory pilotage system of Dublin Bay were abolished, is it your opinion that the pilots would be quite ruined?—It is my opinion that there would be no use for pilots at all. I think that we would not be called on.

8644. Could vessels go in without pilots?—They might run their chance if they liked; the coasters would try it.

8645. Are coasters exempted from pilotage under 50 tons?—Under 50 tons they are.

8646. Do you know the number of pilots and pilots' widows who are now receiving assistance from this fund?—Six pilots and 12 widows, and some orphans; I do not know how many.

8647. They are supported entirely by this fund?—Yes.

8648. Would the abolishment of the compulsory system put an end to this fund?—It would.

8649. And would turn adrift all the present persons who are receiving pensions?—If there were not anyone to give them anything, it would drive them to the poorhouse or the workhouse, or somewhere like that.

8650. What is the amount of that fund at present?—Somewhere between 700 *l.* and 800 *l.*

8651. And the interest of that 700 *l.* or 800 *l.*, and what is weekly deducted from your earnings, is all that these people have to live upon?—That is all.

8652. *Chairman.*] As compared with foreign-going vessels, how much of your employment comes from coasters?—About three-fourths.

8653. What class of vessels are they?—Across Channel vessels.

8654. Coming from Liverpool?—Liverpool, Whitehaven, Bristol, and Scotland.

8655. Making constant voyages?—Yes.

8656. And your opinion is that those vessels would not continue to take pilots if this Bill is passed?—I do not think one would.

8657. That is because they do not want them?—They appear to think so.

8658. Do they complain very much of being compelled to carry pilots?—Yes.

8659. And they think it a hardship?—Yes.

8660. Because they think they are pilots, and can pilot just as well?—They may think so.

8661. You do not think so?—No.

8662. You think your services are necessary to them?—Yes.

8663. They think their masters can pilot equally well with you?—Yes.

8664. Most of these men have been engaged in sailing in and out of the port for many years past, have they not?—Some of them.

8665. Most of them?—A great many of them have.

8666. What sized vessels are they generally?—From 400 tons to 50 tons.

8667. You say that one-fourth of your employment comes from foreign-going vessels?—Yes.

8668. What is that trade mostly?—It is generally the foreign corn trade, and the West Indian trade, and timber vessels.

8669. Vessels with corn from the Black Sea?—Yes, a few.

8670. Those vessels, I presume, would want pilots?—They might or they might not.

8671. I presume the greater number would want pilots?—That would be according to the law; if it was compulsory they might take pilots, and if not they would be left to themselves, and they might not take pilots.

8672. Do you think they might take pilots or not?—Supposing a tug-boat goes there before me, the captain might say the tug-boat will come with me, and I will take no pilot.

8673. You think that if there was a tug-boat he would not want a pilot?—He might with a tug-boat want a pilot.

8674. Are most of the vessels that come into Dublin brought up by tug-boats?—A great many of them.

8675. What are the difficulties of the navi-

Mr. *J. Doyle.*

20 May 1870.

gation into Dublin; where do they commence?—At South Arklow Lightship.

8676. You think the difficulties begin there?—They begin there in our waters.

8677. The pilotage begins there, but where do the difficulties begin?—Just after coming round the Tuskar, and from that into the Liffey.

8678. How many pilots are there now?—Forty pilots and five masters.

8679. Supposing the coasters do not take any pilots if this Bill is passed, how many do you think would be wanted?—I do not think one boat's crew would be wanted.

8680. Mr. *Price.*] I suppose if these superannuations are to be paid, and the pilots could be secured the same income as they are getting now, it would not be of any consequence whether the pilotage was compulsory or free?—Not if we were getting the same pay, it would not.

8681. So that the great object of keeping up the compulsory system of pilotage is to secure the same pay to the pilots?—Yes.

8682. You think that the compulsory pilotage should be maintained for that purpose?—Yes, I think it should. I would as soon work on 80*l.* a-year than go on shore for 80*l.* a-year, sooner than that compulsory pilotage should be broken.

8683. For the sake of those that come after you?—Yes, for the sake of those that come to the service after me.

Mr. WILLIAM WEBB, called in; and Examined.

Mr. *W. Webb.*

8684. Mr. *Cave.*] YOU are a sea pilot, living at Yarmouth, in the Isle of Wight?—Yes.

8685. What services are you chiefly employed in?—In piloting.

8686. In piloting what vessels?—Steam vessels, or any vessels that come there requiring a pilot.

8687. You are not retained by any particular company, are you?—No.

8688. Where is it that vessels going to the port at Southampton take a pilot?—We are now bound to cruise to the eastward of St. Alban's Head; we used to go down as far as Start.

8689. In the case of vessels coming up to the port of Southampton, where does the pilotage limit begin?—The pilotage limits are three miles outside the Needles; the compulsory pilotage begins there.

8690. Where is Eaglehurst?—Near Southampton Water, opposite West Cowes.

8691. Are the pilotage limits beyond that?—We take the vessels to Southampton, except the West India, Peninsular, and Oriental Company's, and Cape Company's vessels; there the Southampton privileged pilots supersede us.

8692. All other vessels you take straight up to Southampton, do you not?—Yes.

8693. When you say these vessels are privileged, in what way are they privileged?—By the interest of the company with the Trinity Board.

8694. What are they privileged to do or not to do?—They take the ships to Southampton dock, or they take them to sea.

8695. Is that in consequence of having licensed masters or mates on board?—No.

8696. It is only a privilege of the port which is granted to them?—Yes; I had a license before the company's vessels were established and before the docks were made, and I used to take them up to the pier.

8697. Since then what have you done?—Since then they have not allowed us to take any from Eaglehurst; now they have thrown it open to all vessels excepting the company's vessels.

8698. All vessels excepting the company's vessels are taken straight up to Southampton?—Yes.

8699. But the company's vessels turn the pilots off at Eaglehurst?—Yes.

8700. And does a Southampton pilot take them up the rest of the way?—Yes.

8701. Do you object to that plan?—Most decidedly.

8702. Why?—They get smooth water and they do all their work in the river; we cruise at sea, night and day, and get the ships in, and we get 3*s.* 9*d.* a foot, and they get three times that; we take the ships in light draught, and they take them out with a deep load; their rate of pilotage is 5*s.*, 6*s.*, and 7*s.* a foot; if it is under 17 feet it is 5*s.*; if it is over 17 feet it is 6*s.*; if it is over 20 feet it is 7*s.* a foot; they enjoy a full draught, and we enjoy a light draught.

8703. You think that the pilots who take the vessels from sea ought to bring them up to Southampton?—I do.

8704. All vessels of every kind and class?—Yes.

8705. That is your opinion?—Yes. I used to do it before the docks were made, and I do not see why I should not now.

8706. How is it that the pilots are selected?—I cannot tell you that.

8707. Who are you yourself licensed by?—The Trinity Board.

8708. Of course they fix the number of pilots on each station, do they not?—Yes.

8709. Are you limited in number?—Yes.

8710. What is your principal station?—I belong to Cowes; I am an Isle of Wight pilot, but the Isle of Wight, and Southampton, and Portsmouth pilots are now all amalgamated.

8711. Where is your principal station?—Our vessels have, first, three weeks outside the Needles, then they go within three miles of the Needles, then they are stationed off Christchurch Head for another three weeks, and then they go down to St. Alban's Head.

8712. The river pilots are stationed at Southampton itself?—Southampton and Lepe.

8713. Is there any favouritism of pilots?—It appears so.

8714. How do you account for that?—I cannot tell.

8715. Who are the people who select the pilots for these different vessels?—I think the superintendent of the West Indian Company at Southampton, Captain Mangles, and Captain Ingledew of the Peninsular and Oriental Company.

8716. Supposing the Bill passes, what will be the effect on you?—I think the captains of the vessels will run into Lepe themselves in fine weather, and if it is thick weather they will be glad to take us.

8717. You take them now, do not you, beyond the pilotage limits?—Yes; we get distance money for that sometimes, as it is optional.

8718. If vessels take you beyond the limits within which they are obliged by law to pay you,

you, will not they take you, if the Bill passes, in the same way that they take you now ?—The company's vessels will.

8719. Will not all valuable vessels do so?—Yes.

8720. But you think the small class of vessels will not do so?—No, I think not.

8721. Are you the owner of a vessel?—I am the owner of a pilot boat, the "Agenoria."

8722. If pilotage was thrown open to competition, do you think you could make your living? —No; we do not make our living now.

8723. What do you earn now?—I pay something like on 100 *l.* a year to the Trinity Board.

8724. What are your net earnings?—That would be the gross earnings; the net earnings would be about 80 *l.* or 90 *l.*

8725. When you say you paythat to the Trinity Board, do they pay you back the net earnings?—I do not pay my earnings to the Trinity Board; I pay 6 *d.* in the pound to them.

8726. Your net earnings are about 80 *l.* or 90 *l.* a year?—Yes.

8727. What do you deduct from the gross earnings to calculate the net, do you deduct the expenses of your boat?—Yes.

8728. Anything else besides that?—No; we take a share and a-fourth for the boat out of the gross earnings after the travelling expenses are paid.

8729. And the balance of that is the net?—Yes.

8730. Have you any particular complaint to make?—Nothing more; I think that is the chief complaint.

8731. What you would like is to keep the pilotage compulsory, and not to be superseded by river pilots, but to take the vessels straight up to Southampton from the sea?—Yes.

8732. And you think that unless you do that your earnings will be largely diminished?—Most undoubtedly.

Tuesday, 24th May 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Cave.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Philip Wykeham Martin.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

THE RIGHT HONOURABLE GEORGE JOHN SHAW LEFEVRE, ESQ., IN THE CHAIR.

Mr. FREDERICK PATTISON, called in; and Examined.

Mr. *F. Pattison.* 24 May 1870.

8733. Mr. *Cave.*] YOU are a Trinity Pilot, I believe?—Yes.

8734. Which is your station?—Gravesend.

8735. How far is your district?—From London Bridge to Gravesend, and *vice versâ.*

8736. How many such pilots are there?—Seventy.

8737. And where are their stations?—Fifty at Gravesend and 20 at London.

8738. They are called river pilots, are they not?—Yes.

8739. How long has Gravesend been a separate pilot station?—I think over a 100 years, but it has only been established by law since the year 1854.

8740. Does the proposed Bill affect it in any way?—The proposed Bill will take it away altogether.

8741. In what way would it do so?—The Act of 1854 provided that no pilot should be hereafter passed both above and below Gravesend, and from that time no pilot has been allowed to pass both above and below Gravesend; by this Act of Parliament, those words are left out in the commercial code, which would enable a pilot to pass right through from London to Dungeness, and from Dungeness to London.

8742. *Chairman.*] It would leave it to the Trinity House to exercise their discretion in making separate districts, if they pleased?—They have not had that discretion the last 16 years.

8743. Mr. *Cave.*] You refer to the Merchant Shipping Bill?—Yes.

8744. Was it the Act of Parliament with regard to merchant shipping, or was it the Order in Council of 1854 which established Gravesend as a station?—The Act with regard to merchant shipping.

8745. What was the reason that this change was made at the time, if it was so made?—The shipowners of the port were generally very dissatisfied with this class of men; the men from Dungeness were very often confined to their cutters, and they had no real knowledge of the state of the river; the ships were always coming to grief, and the shipowners became dissatisfied with the system.

8746. Did they take any action upon it?—Yes; they petitioned the Board of Trade, I believe, or the Trinity House, I do not know which, to alter it and to discontinue those men passing right through.

8747. Were those the shipowners generally of London?—Yes; shipowners and underwriters.

8748. Are there many of them who have signed this petition?—It was very numerously and influentially signed.

8749. What effect will the present Bill have on the Gravesend river pilots as a body?—I consider that it will both destroy their living and take their station away.

8750. *Chairman.*] That is to say, for the Trinity House licensed pilots to go from Dungeness up to the Thames?—Yes, or from London right through, which they have not the power now to do.

8751. Mr. *Cave.*] That is to say, under the Merchants' Shipping Bill they have that power?—Yes, they have that power under the Merchants' Shipping Code.

8752. Is there any other class of pilots navigating the home-trade passenger ships?—Yes, there are 22 men who were licensed for the home trade in 1854, and I believe that they have caused a very great amount of evil with regard to barge property, and so on, which has suffered very materially; they are a class of people that, I believe, in many cases put themselves in front, between the injured parties and the shipowners.

8753. You mean that they are an inferior class of pilots to the Gravesend river pilots?—I would not say that they are an inferior class, but I say that very often in the case of a collision, instead of saying that it was not their fault, they put themselves in front and say to the aggrieved party, "It is my fault," and the party has no remedy against the ship, which has been the cause of a great deal of the present agitation.

8754. How had those pilots been trained?—They were what were termed free watermen, partly, who used to navigate those vessels previously to 1854; when the Act came into law, and they were compelled to employ pilots, we were consulted with regard to the propriety of navigating those vessels, and we refused, for we felt that if we did so we should not be free agents, that

that we should not exercise our own judgment, and we declined to navigate those home-trade passenger ships and steamships.

8755. Are those the north channel ships?—The home-trade passenger ships.

8756. They simply continued to navigate the vessels which they had navigated before?—Yes, when they were made licensed pilots.

8757. You do not appear to have anything to do with that class of ships?—No, we felt that the responsibility was too great, and that we should be under the dictation of the companies.

8758. Do you mean that you would not be allowed to take the command of a vessel out of the hands of the captain?—No, we felt that we should be under the dictation of the company, and not, as we ought to be, free to use our own judgment as to the time of leaving or not.

8759. You would prefer only to navigate those vessels of which you might alter the time of starting if you thought it dangerous?—Yes.

8760. All the steamers, as a matter of course, do start at stated times?—Yes, all the home-trade steamers.

8761. You do not like to have the responsibility of navigating that class of vessels?—Certainly not.

8762. Do you have any difficulty in getting the charge of vessels which are exempt from pilotage?—Yes, a good deal.

8763. How is that?—That is principally on account of a class of men who are pretty nearly of the same class as those who are called free watermen; they give us a good deal of trouble.

8764. Would there be enough of the licensed Trinity pilots in Gravesend to take all those vessels which are now partly taken by unlicensed men?—The licensed Trinity pilots could take a great many more, but in the face of voluntary pilotage they are likely to take a great many less.

8765. You think that the voluntary system will reduce their occupation?—It has always had that tendency since I have been in the service.

8766. But those unlicensed men do navigate ships that are not obliged to take any pilots, do they not?—Yes, no doubt they do; they navigate a good many more than they ought; it is a matter of intrigue with the master; of course we do not care to be always in hot water with them, but I think the law is not sufficiently stringent on the point.

8767. Mr. *Graves.*] A large number of ships under the voluntary system do take pilots, do they not?—We have been employed under the voluntary system, but I do not know that that is, strictly speaking, the voluntary system; that is to say, foreign vessels up the North Channel, but they are really compelled by the rules of their club to employ pilots in all pilotage districts; I mean such as the Norwegian vessels, and the Danes, and the Prussians.

8768. You mean the Mutual Insurance Companies?—I do not know, exactly, whether it is positively and certainly in the policy, but I have heard from many captains that the club rules them in that way.

8769. *Chairman.*] You refer to foreign vessels from the north of Europe?—Yes.

8770. And that they are bound by their policies to take pilots?—Yes.

8771. Mr. *Cave.*] Do you think that if the voluntary system were entirely established the shipowners would let their captains take pilots in all cases where a captain did not feel himself competent to navigate the ship?—No, my experience tells me to the contrary; I do not think they leave the captain a free agent, except some few steamship owners.

8772. Do they force the captain to go without a pilot, though he says it is dangerous to do so?—I do not believe that he goes without a pilot, exactly, but he compels the captain in many cases to refuse a licensed pilot, and he has no sooner declined the services of a licensed pilot than he employs an unlicensed pilot.

8773. He gets the unlicensed man cheaper, I suppose?—No doubt.

8774. If Gravesend were abolished as a separate station, what, in your opinion, should be done for the protection of the river pilots?—In the face of loss of station and employment under a strictly voluntary system, I think they are entitled to great compensation.

8775. Are they entitled to anything besides compensation, in your opinion?—I should like to see the station retained, and those words inserted in the new Act of Parliament.

8776. You mean to say that you would like the station compulsorily retained?—Yes.

8777. And the power taken away from the Trinity House to abolish the station?—Yes.

8778. Do you know what the compensation is under the Bill?—I can hardly consider it compensation.

8779. Is that your objection to the Bill?—I object to the Bill on several grounds; it is not sufficient. We have got a young body of men, particularly in the river pilot service, that want employment; they do not want to be superannuated or compensated if you give them work.

8780. Is there anything that can be done to secure work for those men under the voluntary system?—Yes, if the law was made more stringent.

8781. What law do you refer to?—The law of pilotage under the voluntary system; I do not consider the clauses sufficiently strong.

8782. You mean the law to prevent unlicensed men taking ships as pilots?—Yes; but the most difficult job is to establish the proof of superseding. If you can give us a clause in the Merchants' Shipping Act that the presence of one of those men on board should be *primâ facie* evidence that he is in charge, that would answer the purpose. I have heard a great deal of the large earnings of unlicensed men, which is, of course, through the voluntary system. A man can very easily say, "I do not want a pilot," and the pilot goes away; his back is no sooner turned, than in the next reach you see an unlicensed man in full charge of the vessel; that is the tendency of the voluntary system.

8783. You think that if the voluntary system were established, a captain should be either forced to take a licensed pilot or to say that he did not want a pilot at all, and take none?—Yes, just so; if pilots are needed at all it is between Gravesend and London, but with all the exemptions it is merely transferring the licensed pilots' employment to unlicensed pilots.

8784. *Chairman.*] You think that there should have been no exemptions, do you?—Just so, I think it should have been compulsory pilotage.

8785. Mr. *Cave.*] The river pilots' are not competent, I suppose, in your opinion, to take vessels to Dungeness?—Not as a rule, but many of them are.

Mr. *F. Pattison.*

24 May 1870.

8786. How would it be if the whole thing were thrown open, and they were allowed to take vessels from London to Dungeness?—That would not do at all.

8787. You think, do you, that the same man is not likely to know sufficient of the river between London and Dungeness, except in a few instances?—He would not have that amount of confidence which he ought to have; between Gravesend and London it is not a question of yards, it is a question of inches in many cases.

8788. What forms the great difficulty between London and Gravesend?—The great traffic is the principal difficulty.

8789. The shoals have been very much eased of late, have they not?—Yes, they have been very much removed.

8790. Is there any other statement which you would wish to make to the Committee?—I think not.

8791. Sir *Charles Wingfield.*] You say that the free watermen injure you very much between Gravesend and London?—I am sure they do.

8792. Why do you not supersede them; you have the power to do so, have you not?—That would be a most difficult job; I do not think we have the power to supersede them cleverly, we cannot turn them over the side of the ship.

8793. But if the master refuses to make his vessel over to your charge, you can sue him and recover a penalty, can you not?—Yes; most likely I could sue the master if I could prove it.

8794. If you found an unlicensed pilot on board?—But we do not care to have all this trouble and annoyance; we want to get a living respectably.

8795. The real reason why they chiefly employ the free watermen is that they do the work cheaper, is it not?—No doubt.

8796. But if there were no free watermen, your existing number of pilots, 74, could not do half the work of the river, could they?—Yes; they could.

8797. Seventy-four pilots could not take all the ships in the river, could they?—No, certainly not; I admit that.

8798. Therefore, the Trinity House would have to license a vastly greater number of pilots, would they not?—Yes; for which we have plenty of candidates.

8799. You have 64 candidates, have you not?—I do not know the number.

8800. You complain of the omission in the present Act of Parliament to provide that no pilot shall be licensed the whole of the way from London to the sea?—Yes.

8801. The system of licensing pilots separately from London to Gravesend, and from Gravesend to the sea, makes the cost of pilotage heavier to the owner, does it not?—Yes; there is a difference.

8802. I understand that it is rather a large difference in the cases of first-class vessels, and that it might amount to a difference of 7 *l.* in taking a ship from London to Gravesend, and then from Gravesend to the Downs, as against taking a pilot the whole way from London to the Downs?—That could be equalised if there were such a difference.

8803. Was your father a free waterman on the river?—He was.

8804. Were you apprenticed to him?—No; I was not.

8805. Did you work on the river at all?—Yes; I did.

8806. Did you do so before you became a Trinity House pilot?—Yes.

8807. Did you acquire a knowledge of the river from working on it?—No doubt I did.

8808. Do you consider that a man can be a good river pilot from Gravesend to London without serving at sea?—I cannot answer that question, but I think it is necessary he should go to sea.

8809. You do think it is necessary he should go to sea?—Yes.

8810. But not if he worked only on a steamer, I suppose?—Yes, it is still more necessary that he should go to sea if he works on a steamer.

8811. Surely it is local knowledge, and not nautical science, that is wanted in that case?—I think every man appointed to take charge of a steamer should possess nautical knowledge; I think it is essential, in charge of a steamer, that he should be acquainted with the action of vessels under sail.

8812. You think that your employment will fall off very much if the pilotage system is made voluntary?—Yes.

8813. But Sir Frederick Arrow states that the system may be considered as wholly voluntary in the north channel of the Thames, does he not?—Yes.

8814. He says that the cases of compulsory pilotage in the north channel are not 10 per cent. of the whole number?—There are not a quarter of the vessels that come up the north channel that have licensed pilots.

8815. Though they are not forced to employ pilots, they do employ them?—I say that they are compelled by their policies to employ them.

8816. That does not apply to the English vessels, and yet they do take pilots, do they not?—They do not take licensed pilots.

8817. If they employ men to pilot their vessels, though they are not forced to take pilots, the inference surely is, that if you make pilotage voluntary, river pilots would still be taken?—If pilots are to exist at all, you should make the system compulsory; but, if we start afresh, and compensate the present pilots liberally, there is nothing fair in exemptions; with all those exemptions it is merely the transfer of the licensed men's employment to the unlicensed men.

8818. *Chairman.*] It does not prevent vessels taking pilots; it only permits their taking unlicensed instead of licensed men; and they get them cheaper?—Yes.

8819. Sir *Charles Wingfield.*] But experience shows that where the navigation is difficult, you must take a pilot of some kind, does it not; what you might call a waterman, and not a pilot?—I cannot speak for everyone.

8820. *Chairman.*] I understand from you that the only effect of exemptions has been to transfer employment from the licensed men to the unlicensed men?—It has had that tendency.

8821. Does it not follow also that, in fact, all vessels do take pilots from Gravesend up the river?—As a rule, I think they do; not small coasting vessels, but steamers as a rule employ some one.

8822. All vessels of any size take pilots?—Yes, I think so.

8823. When those foreign vessels come from the north of Europe they take a licensed pilot to the

the north channel, and when they come to Gravesend they change, and take one of your men?—Yes.

8824. And when the English vessels come up to the north channel, a few of them take those pilots; but when they come to Gravesend they take either a pilot or a waterman?—Steamers do.

8825. But do not all vessels?—Not all, I think. Many of the vessels from the Baltic do not take anyone until they get up to Greenwich; they are old collier captains, and that makes a great difference; but as a rule, they do employ some one.

8826. You have said that those foreign vessels when they come up to Gravesend change their pilot for one of your men?—Yes.

8827. Therefore a considerable portion of your employment must come from foreign vessels?—Yes.

8828. Is not a certain proportion of your employment derived from English vessels?—There are a few, such as English steamers; we have had a great battle with them to make a job of them.

8829. But you have succeeded?—Yes.

8830. What proportion of the whole of your employment comes from vessels that are not bound to carry pilots?—About one-half.

8831. There is only one-half of your employment in respect of vessels that are now compelled to carry pilots?—That is all.

8832. Mr. *Graves.*] Up to what tonnage can an unlicensed waterman bring a vessel up or down to Gravesend?—I do not think he can take charge of anything; I do not think there is any stipulation with regard to tonnage.

8833. Under what statutory exemptions are unlicensed watermen employed?—Coasting vessels, and all vessels, in fact, not under compulsory pilotage; but he has no standing by law to take charge of anything.

8834. Sir *Charles Wingfield.*] Except vessels shifting dock, I suppose?—Yes.

8835. *Chairman.*] You have the right of superseding any of those men, have you not?—Yes.

8836. And you find a difficulty in doing that which you have the right to do?—Yes.

8837. And that right will remain after the Bill has become law, will it not?—Yes; but it will be difficult to carry it out.

8838. Mr. *Graves.*] It has been stated that half the vessels going up and down the Thames to Gravesend are piloted by unlicensed watermen; is that so?—There are not that amount, but there are a great many.

8839. That is an exaggeration then?—Yes; it is something like 900 *l.* a year earned by unlicensed men.

8840. But there are a great many?—Yes, there are a great many.

8841. Is the Committee to understand that those vessels are navigated by men who have no standing or legal position as pilots?—I think you may take it that that is so; they are navigated by that class of people, but whenever a pilot puts in his appearance they do not want him; they say that the captain is going to navigate his own vessel, but they are navigated, I believe, by that class of men.

8842. Has the number of unlicensed watermen been increasing or decreasing much?—The number of watermen is very large. I suppose they number about 5,000 or 6,000; but there are a very few men who are engaged in this kind of work; perhaps 10 or 12; that is to say, there are 10 or 12 employed in navigating these vessels, these collier screw steamers.

8843. Do you mean to convey to the Committee that there are only 10 or 12 unlicensed watermen engaged in piloting vessels up and down to Gravesend?—Yes, between Gravesend and London.

8844. Sir *Charles Wingfield.*] How can 10 or 12 unlicensed watermen do you so much harm then?—Because they are continually there; that is between Gravesend and London. Of course there is another class of men in London that carry on the same business.

8845. Mr. *Graves.*] Do those men pass any examination?—None whatever.

8846. Is every licensed waterman, out of 5,000 or 6,000 which you have spoken about, considered qualified to take vessels up and down the Thames?—I cannot speak to their qualification.

8847. Do those 10 or 12 men undergo any special examination to fit them for their duty?—None.

8848. Is there any other class below the licensed watermen again that take those vessels, and that are not even licensed watermen?—No.

8849. No class of boatmen that do it?—No; there is only one class that I know of.

8850. What constitutes the qualification to be admitted into the body of licensed watermen?—Seven years' apprenticeship.

8851. There is no limitation to the number of apprentices taken, I suppose?—None.

8852. Can you tell me what it is that regulates the number of licenses granted by the Trinity House between London and Gravesend?—That is limited by the demand for pilots; if the Trinity House saw that there was any necessity for more, or there was more employment than the present pilots could do, they have plenty of candidates, and they could increase the number very soon.

8853. Has the number of men been unvarying, or has it been fluctuating?—It has been pretty regular for the last 22 years, I think.

8854. Has there been no change?—Perhaps about four or five.

8855. So that the vessels which still employ a few unlicensed watermen would be regarded, to some extent, as an increase of trade?—Yes, I think so. I consider that the principal employment of those men is in collier screw steamers.

8856. If the Trinity House licensed men more freely, would not the tendency be to do away with unlicensed watermen?—No, I think not; if they have ever so many licensed pilots I do not think they would take them; I judge from what I see of the class of men that refuse them now.

8857. The shipowner has his choice of a pilot at Gravesend, I suppose, or do you take your turns?—We have a turn, and they can choose besides; a shipowner can select his own pilot, and a captain can select his own pilot.

8858. Is that the case outwards?—Most of them outwards.

8859. It is a perfect choice, is it?—Yes, there is a class of turn men as well as the choice men; but any owner or captain can select his pilot; there is no limit to the choice. The brokers and clerks and interpreters can choose their own pilots; but it is rather loosely carried on.

8860. Is it usual, when it is known that a vessel from, say Calcutta, is expected at Gravesend,

Mr. *F. Pattison.*

24 May 1870.

end, to write to the owner for permission to pilot his vessel?—That is customary.

8861. You said that you would like to see the powers retained for the Trinity House to preserve Gravesend as a distinct compulsory station?—Yes.

8862. Do you say that in the interest of pilots solely, or are you looking at it from a harbour regulation point of view?—In the interest of the public, because this thing was in work for many years previously to 1854; I mean the system of a pilot being passed right through. I do not believe that the public will be so well served by passing pilots from London to Dungeness, and from Dungeness to London, as they will be by keeping the river separate and distinct.

8863. As a rule, do the Deal men bring more vessels up or down?—They do not take any of them down; they bring them all up as far as Gravesend.

8864. Do you consider that that system is a good system which enables a man by piloting only one way to become conversant with every turn in the river?—Yes; I believe you obtain the most efficient men under those circumstances.

8865. Now, as a matter of harbour legislation, you attach some importance to having a pilot in every vessel; is that because you consider that the pilots know each other's movements quicker and better than the mere captain of a vessel would do?—Yes; if I could regulate the Thames I would make every vessel have a pilot, and I believe if that were only done, there would be less collision. I have been 22 years in the service, and I never remember a collision where a licensed pilot has been in charge of the ships. Those collisions have invariably occurred with unlicensed pilots.

8866. What is the limit of your liability?—£. 100.

8867. Is that a nominal liability, or a real one?—I believe it is a real one.

8868. Have you ever known an instance where it has been paid?—Yes.

8869. Have you ever paid anything?—Yes; not to that amount, but I have paid a great deal for damage.

8870. It is a real substantial obligation on the part of the pilot, is it?—Yes, I think so.

8871. Is there any fund among the pilots at Gravesend for meeting those claims?—None whatever.

8872. Have you a superannuation fund?—Yes.

8873. You are parties to the superannuation fund of Trinity House?—Yes.

8874. Mr. *Stevenson.*] You have been 22 years in the service, you say?—Yes.

8875. And you were in the service before the change in 1854?—Yes.

8876. So that if the compulsory system was restored, and we abolished Gravesend as a pilot station, it would put you in no worse position than you were in when you entered the service?—Yes, there is a great deal more trade now than there was then.

8877. And your employment has increased, you say?—Yes.

8878. So that it would put you in no worse position than you were in before the change in 1854 if this station at Gravesend was abolished?—Possibly not.

8879. Did you ever command a ship?—Yes.

8880. In what trade?—In the north country trade.

8881. The coasting trade?—Yes, the coasting trade.

8882. Did many of those pilots who are of the same class as you are ever command ships?—Yes, most of them.

8883. It was not a condition of their entering the service that they should have commanded a ship, I suppose?—Yes, it was.

8884. But all those up and down pilots stationed at Gravesend have commanded vessels, you think?—Yes.

8885. And do you say you consider them not competent to navigate vessels between Gravesend and London?—No, I did not speak about those men; I only spoke of those men who existed when the Act was altered. I say that the Act was altered, and that the shipowners were thoroughly dissatisfied with that class of men at that time. I do not know anything about the present class of men.

8886-9. The objection that applied then would not apply to the existing class of men, you think?—I do not think it ought to.

8890. You know that there is a difference of charge between taking one pilot all the way and taking two services, is there not?—Yes, there is a difference.

8891. Is there no complaint made of that?—I believe there is; it gives the London man a great preference over the Gravesend people, no doubt.

8892. Do vessels which you pilot from London to Gravesend employ pilots for the rest of the way seaward?—Yes, I think most of them do.

8893. Where does that pilot get on board?—At Gravesend.

8894. Does he always get on board at Gravesend?—Yes.

8895. Do none of them go on board at London?—I do not know exactly; they may go as passengers first, and they then act as pilots, and I think it is a very great shame if they do.

8896. You think that as long as the Gravesend station is maintained the pilots should keep their station, and not come to London?—Yes.

8897. What is their object in coming to London?—I suppose they go there to get more employment.

8898. I suppose, therefore, those men who stick to the station fare worse than those who go to London canvassing for a job?—I think that is a question; I think they are not very much better off at the end of the year; it is done on commission by brokers' clerks, interpreters, and so on.

8899. Are the Committee to understand that those interpreters and brokers' clerks, and parties, do act in the names of the owners when selecting pilots?—Yes.

8900. But they select the man who gives the highest commission?—Yes.

8901. Does that practice prevail extensively?—Yes, it does prevail rather largely.

8902. And you would like to see it put an end to, I suppose?—Yes, I should like to see it put an end to, certainly.

8903. You know that one reason why the Gravesend pilots desire to be removed to London, is that they may have a fairer chance of honourably obtaining employment?—Yes, but that does not suit my book quite so well.

8904. Mr. *Brassey.*] You said that even if the Trinity House greatly increased the number of licensed pilots, there would still be an unwillingness

ness on the part of certain captains to employ them?—Yes.

8905. I suppose that objection arises entirely from their objecting to your tariff?—There may be something in that, but the objection would be not so much on the part of the master as on the part of the shipowner.

8906. Of course, the money is a shipowner's question?—Yes.

8907. Have you any idea of the difference in the charge made by a licensed pilot, as compared with the charge made by an unlicensed pilot?—I do not know; I have known cases where an unlicensed pilot has obtained more than a licensed pilot; there is a few shillings difference, perhaps.

8908. But not a difference of half the money, I suppose?—No, nothing like that.

8909. Sir *Charles Wingfield.*] Are you aware that the watermen say that 2*l.* is their maximum charge?—I have never heard that.

8910. Mr. *Brassey.*] If there was a very large difference of charge that would fully account for the disinclination to employ licensed pilots, would it not?—I think there is no great difference.

8911. You have stated that there are only 10 or 12 of those unlicensed pilots who take vessels up and down between Gravesend and London?—Yes.

8912. And that they go on board at Gravesend?—Yes, they go on board at Gravesend.

8913. Is it the practice very frequently for watermen to go down below Gravesend in fine weather to try and pick up a ship?—Yes.

8914. Do you include those men who go down below Gravesend in your 10 or 12?—No, they would be more than that taking those men.

8915. But those large number of men who go down below Gravesend in fine weather to try and pick up ships are quite prepared to take vessels up to the docks, I suppose?—If they got the chance, I daresay they would.

8916. Probably there are more than 10 or 12 men?—Yes, they have between 5,000 and 6,000 free watermen on the banks of the Thames between Teddington Locks and Hope Point; they are cruising about at all points of the Thames.

8917. Sir *Henry Selwin-Ibbetson.*] But to the best of your belief there are not above 10 or 12 of the men to whom you specially referred?—Only about 10 or 12 who cause any annoyance to the pilots.

8918. Mr. *Price.*] In answer to a question put to you by the Chairman, you said that half of your employment was in respect of vessels not compelled to take pilots?—Yes.

8919. Now, if one-half of your employment is in respect of vessels not compelled to take pilots, why should you have any reason to apprehend that if all vessels were perfectly free, you should not get the other half?—There is a great difference in those vessels that are under the voluntary system, they are foreigners, and under a general voluntary system; that part which has hitherto been under compulsory pilotage is English vessels; I do not think that we should get anything like the employment from English vessels that we do from foreign vessels under the voluntary system.

8920. Is that because captains of vessels would navigate their own ships, or because they would avail themselves of the services of fresh water pilots?—I believe it would be connected; some will navigate their own vessels, and many will employ another class of men.

8921. What is the occupation of those watermen, apart from pilotage?—They are lightermen; they navigate lighters and barges; rowing people across the river, and so on.

8922. It is in pursuit of their business as lightermen that they acquire this knowledge of the river?—Yes, I imagine so.

8923. You said just now that the chief cases of collision occurred not when the regular pilot was on board, but when an unlicensed pilot was on board; have there been many cases of collision due to the employment of those men, or at all events when those men were on board?—I have no record of them.

8924. But still from general recollection you can give me some information about it?—Yes, I believe there are more collisions when those men are on board.

8925. Sir *Henry Selwin-Ibbetson.*] But there is no public record of them, I suppose?—No.

8926. Mr. *Price.*] Suppose there was no collision when one of your pilots was on board, and there was one in the other case, it would be true that there were more accidents in one case than the other; but are there many more?—Yes, many.

8927. Every year?—Yes.

8928. But have there been collisions when pilots have been on board?—Yes.

8929. Have you any such record as enables you to say that there have been a larger number of collisions when unlicensed men have been on board than when licensed men have been on board?—Yes, I am certain of that.

8930. You are certain of that without taking any returns of it?—Yes, I am certain of that.

8931. You have also stated that a Deal pilot only brings a vessel up the river?—Yes.

8932. Is that because he is forbidden to take a vessel down?—I do not think he is passed up and down; I am quite certain at all events that his duty ceases at Gravesend.

8933. That is to say, that a Deal man brings a vessel from the Downs to Gravesend?—Yes.

8934. Could he not take a vessel from Gravesend to the Downs?—I think he could.

8935. Sir *Henry Selwin-Ibbetson.*] I understood that it was in evidence that he could do it, but from the circumstances of his having to go to the bottom of the list he would have to stop so long at either station that it was not worth his while?—Yes, those pilots would do worse; I think they would not wish to stop here.

8936. Mr. *Price.*] But why is it better for them to go back; is it because by some rule of your own, you put them at the bottom of the list?—I do not know anything about the rules of the Deal and Dover pilots.

8937. I am speaking now of the Deal men to whom you referred just now, and who you said could only bring vessels up and not down: is the reason that they do not take vessels down as well as up that they would have to wait so long at the station, that it is better worth their while to go back to their own waters?—I cannot answer that question.

8938. Are you not one of the Gravesend pilots?—Yes; from Gravesend to London Bridge, and *vice versâ.*

8939. Do you mean to say that you are not a pilot down below Gravesend?—Just so.

8940. But still being a Gravesend pilot, do you

Mr. *F. Pattison.*

24 May 1870.

you not know as a matter of common interest what the regulations are below?—I do not know that there is any regulation; but the men living at Dover, and those places, would have no opportunity of getting anything from here, because our men are licensed from Gravesend to take ships downwards; there is nothing to forbid him in the shape of a law, I believe.

8941. Suppose a Gravesend pilot took a ship from Gravesend, or the Downs, or Dungeness, and was discharged, he could take another vessel and bring her up, could he not?—I believe not.

8942. I understood you to say that you thought there was a positive advantage in being limited to one direction?—Yes.

8943. And that it was better for the ship that the same pilot should navigate either upwards or downwards?—That is my opinion.

8944. Do you think that equally applies to the pilots between Gravesend and London Bridge?—Yes.

8945. You think it would be better if you had only power to navigate a ship either up or down, and not both ways?—Yes; I think I could do it both ways very well.

8946. But you think a man should not do it as between Gravesend and the Downs?—I daresay they could.

8947. But you said just now you thought it was for the advantage of the trade that a man should only be able to navigate one way, and that you thought by that means he obtained a more competent knowledge of the navigation?—I did not mean one way exactly; I meant to and fro in one district. I do not see why a man should not pilot a ship both ways.

8948. That answer of yours was not exactly what you meant to say, then?—Just so.

8949. You do not see why, if a man pilots a vessel downwards, he cannot pilot it upwards, I suppose?—No reason whatever.

8950. Then, so far as you know, it is not the fact that a Deal man can only bring vessels in one direction?—No, I do not know that it is so; I cannot say. I believe from all that I have heard, a pilot can take a vessel from Gravesend to Deal or Dover, and that he can bring one from Dover to Gravesend.

8951. At all events, whether he can or cannot, you think that he ought to be able to do it?—I think so.

8952. Sir *Henry Selwin-Ibbetson.*] You have stated that brokers, and brokers' clerks as well, have a choice of pilots, and that that is a very objectionable system; have you any suggestion to make to the Committee as to what you would recommend, in order to alter that system?—Yes, I would confine the selection of pilots to owners and masters.

8953. I imagine, from your evidence, that your principal objection to a change is, that it would do away with the Gravesend Station, as you understand the Bill?—I think so; at all events, we say it would be a Trinity House power, which they have not had for the last 16 years.

8954. And that is a power which might be used adversely to your interests?—Yes, I think you must take the Merchant Shipping Code and this Bill together.

8955. Mr. *Gourley.*] I think you stated that nearly all the collisions take place in vessels which are in charge of unlicensed men?—I said that they are more frequent.

8956. How does it happen that we have so many complaints of barges being run down by vessels in charge of licensed pilots?—I do not know; that is not the body I belong to; I suppose that would refer to the certificated men in charge of passenger vessels.

8957. No, I believe that complaints are made of vessels trading from London to Gravesend; that the licensed men think that they have no reason to take notice of the barges, and it is immaterial to them whether they come into collision, or otherwise?—I have gone very carefully through our men, and I did not find one case where a barge owner has suffered from licensed pilots.

8958. I suppose that you can specify some case where a collision has occurred when a vessel has been in charge of an unlicensed pilot?—No, I cannot do that.

8959. You know nothing whatever of the number of accidents which occur to ships in charge of unlicensed pilots as compared with licensed pilots?—No; all I can say is that they are very frequent.

8960. You can give the Committee half-a-dozen instances, I suppose?—No.

8961. Neither on the one side nor the other?—No.

8962. In what is your knowledge as a licensed pilot superior to that of watermen who are in the habit of navigating vessels from London to Gravesend?—We have no particular superior knowledge, but we have passed an examination, and we ask for protection in what we are licensed to do. I have nothing to say against the watermen.

8963. Do you consider that all watermen who navigate ships from London to Gravesend are quite competent to do the work?—I daresay they are quite competent.

8964. You as a pilot would not object to granting them this license on their making application for it, would you?—No, not so long as you give them employment.

8965. You say that the number of pilots at Gravesend are not quite sufficient for the work of the river, do you not?—No; I say that there are too many, and that there is not work enough for the 70 pilots at Gravesend; I most positively say that.

8966. Then under the present system of compulsory pilotage do they divide their earnings, or how is it that one man earns so much more than another?—Yes, I daresay one does earn more than another; but what each earns he keeps; there is no sharing.

8967. Under the existing system of monopoly one earns more than another?—Yes, one has more patronage than another.

8968. Do you think that that is right?—I do not know.

8969. Do you think that one man should have a monopoly when both are working under the same system?—That is a question which I cannot answer; but I know it is the case that some men obtain more patronage than others.

8970. Then under your system you advocate free trade for yourselves but a compulsory system for the shipowner; you leave yourselves at liberty to get as many ships to navigate as you possibly can, but you compel the shipowner in any case to take a pilot?—I do not believe that the shipowner can do without a pilot; I would not compel any man to take me if he can navigate

gate his own vessel between Gravesend and London; that would be taking rather a selfish view of it; but I do not believe that the captain is to be found competent to navigate that part.

8971. You think that the captains are not competent to navigate between Gravesend and London?—I am certain that they are not.

8972. Not even collier captains?—No. If they are competent why do they employ the unlicensed pilots?

8973. I apprehend it is that they consider them as competent as the licensed pilots?—But I say that the captains cannot navigate their own vessels?

8974. But the collier captains do not take pilots or watermen, or anything else, do they?—Yes, the collier steamers do.

8975. How far do they take the watermen?—From Gravesend to the Victoria Docks, where there is little or no navigation to do. I am surprised that they want assistance there; I say that it all should be compulsory pilotage.

8976. You think that the watermen should be employed under the compulsory system as well as the licensed pilots, do you not?—If you can give them employment, I have no objection.

8977. Do many owners of ships carry watermen as well as pilots in the Thames?—Not the class of pilots whom I represent. I believe that there are two or three, perhaps.

8978. But what is the reason for carrying watermen as well as pilots?—I cannot say whether it is a question of inability or a matter of £. *s. d.* between the unlicensed pilots and the pilot, or whether it is the wish of the shipowner.

8979. Do you not consider that all pilots who are licensed by the Trinity House are able to navigate the ships of which they are in charge?—Yes, they are or ought to be.

8980. Then there must be some reason why the owners carry a licensed waterman in addition to pilots in some waters, must there not?—All I can say is that that is not the case where river pilots appear, but I have seen it done myself; no doubt it is the case.

8981. Is it not because the watermen know the river better than the pilots?—No, it is a question of £. *s. d.*

8982. But if a ship carries both, what do you say?—I think the owner is very simple if he does so, for he has no occasion to do it.

8983. It is an extra amount of prudence on his part, perhaps; you stated that the Norwegian owners were compelled to carry pilots by a clause in their policies?—I have been told so.

8984. You have never seen a policy with that clause in it, I suppose?—I only know it from masters of ships who have made that statement to me.

Mr. *F. Pattison.* 24 May 1870.

8985. Mr. *Cave.*] With regard to the rates which you charge to vessels who are not compelled to carry pilots; do you charge those vessels a different rate from those which are obliged to have a pilot?—No.

8986. You charge uniform rates?—Yes.

8987. There is no bargaining between the pilot and the vessel?—No.

8988. What is your liability limited to?—£. 100.

8989. Do you provide sureties besides?—That would be in the new Bill.

8990. But I mean at present?—No.

8991. It is only your own liability for 100 *l.*?—My own liability is 100 *l.*

8992. And no sureties?—No.

8993. Supposing your liability became unlimited, do you think it would make the pilots more careful than they are now?—I do not think it would be fair and reasonable; they could not stand against it.

8994. Do you think that when they are navigating a vessel it would make them more or less likely to lead her into danger?—I believe that a pilot would naturally be careful, under any circumstances, but in putting the liability on the pilot it should be such a liability that he could honestly discharge.

8995. I see, in the printed statement of the pilots, it is remarked that if their liability was unlimited it would unnerve them in case of danger; what do you say to that?—I think it would; the more you shackle a pilot the worse it is for them.

8996. When you were asked about monopoly, did you mean to state that shipowners can choose any pilot they please?—Yes; they have a large selection out of the number already licensed.

8997. If a pilot is a favoured man he makes more than one who is not so favoured?—Yes.

8998. And that would be the same under the voluntary system, would it not?—Yes, it would be the same under the voluntary system.

8999. So that it is not practically a monopoly?—I do not think so.

9000. Mr. *Gourley.*] Who do you think should have the command of a ship when a licensed pilot is on board, the pilot or the captain?—There should be no divided charge in the navigation of a ship. I say that the pilot should have the entire charge in crowded rivers.

Mr. William Speeding, called in; and Examined.

9001. *Chairman.*] You have applied to be examined before this Committee, have you not?—Yes; as to piloting vessels inwards and outwards, there are great complaints among the shipowners and captains, that when we are put on board we do not continue in charge right through.

Mr. *Speeding.*

9002. On what station are you employed?—From London to the Downs, Dungeness, and the North Channel.

9003. Right through the Downs?—Yes.

9004. What is the special point which you wish to bring before the Committee?—When we are put on board ships coming back again under the Order in Council of 1854, we wish to remain in charge right through up to London, but the regulations will not allow that; that causes great complaints, because the difference is about the extra rate varying from 15 to 20 per cent.

9005. You are only licensed outwards, I believe?—Just so.

9006. You cannot take vessels back?—No.

9007. You think that you should be allowed to take them back, do you?—We do it by signing according to the Order in Council; but the question is, whether it should be right through up to the limits of the license, or to give up this matter at Gravesend.

9008. When you pilot vessels backwards, you

Mr. *Speeding.*
24 May 1870.

can only take them as far as Gravesend, and you are forced to leave them there, are you not?—Yes, and that causes a great deal of unpleasantness with the shipowners and captains.

9009. You think that pilots should be allowed to bring their vessels right back to London, as well as outwards from London?—Yes.

9010. Sir *Charles Wingfield.*] You are one of the pilots licensed by the Order in Council in the year 1854, as I understand you?—Yes.

9011. Mr. *Stevenson.*] You only go from Gravesend to the sea, I suppose?—I go from London right through.

9012. *Chairman.*] Are there 50 pilots of that kind?—Yes.

9013. They are gradually dying out, I suppose?—Yes.

9014. That is to say, there are no more pilots of that kind being licensed?—Yes.

9015. Do you think that they should be licensed, or do you think that there should be a distinction between sea pilots and other pilots?—We ought to continue in charge right up.

9016. You disagree with the last witness with regard to making a separate system between Gravesend and London, do you?—Yes; I have been compelled by the captain's wish to bring a ship up to docks, and the Trinity House have ordered me to refund the money to the river pilot in turn.

9017. Is there much time lost in waiting at Gravesend?—Not above a day; sometimes all the pilots are engaged, and then they have to anchor their vessels until the following day, and there is an addition of 15 or 20 per cent.

9018. Mr. *Graves.*] What class of pilots do you belong to?—The first class.

9019. Are you a Gravesend pilot?—No, I am a pilot from London to the sea, right through.

9020. Can you bring vessels from the sea to London?—Yes, under that Order in Council.

9021. *Chairman.*] You are a choice pilot; your whole employment comes from what they call choice, does it not?—Yes, it comes from choice, or from our own seeking. What the river pilots wish is to take the ships all up, and after doing that they ask for the ships down again, so that we have great difficulty in obtaining any employment at all.

9022. I suppose this Bill will not very much affect your employment?—It will not affect mine at all.

9023. You think that your employers will still continue to employ you as they have hitherto done?—Yes.

9024. And there are 50 of you in that condition, are there not?—Yes.

9025. You think that none of them would be interfered with practically by this Bill?—Scarcely any.

9026. They are a large class of vessels that you pilot, are they not?—Yes, they are a large class.

9027. As a general rule they are vessels that would always take pilots?—Yes, as a rule they would always take a pilot.

9028. Therefore, you have no fear with respect to the effect of this Bill upon your employment?—None whatever.

9029. Sir *Henry Selwin-Ibbetson.*] Do you pilot from the northern channel or the southern channel?—From both.

9030. Mr. *Graves.*] As a rule, do you take many ships through the north channel?—Yes.

9031. As many as you do through the south channel?—Rather more.

9032. What class of ships do you take principally through the north channel?—Most of them are Norwegians and Swedes; very few English; two-thirds of them are foreign vessels.

9033. Do many unlicensed men take vessels through the north channel?—Yes.

9034. What class of men are they?—They are what may be called first-class watermen; there are about 2,000 men in the first and second class.

9035. Do you mean all piloting vessels?—No, not all piloting vessels, but assisting in the work; you generally find four or five men on a tug; in fact, it is the crew of the tugs and sailing barges.

9036. But is a man who is not a member of that unlicensed Waterman's Society prevented from doing any portion of this work on the river?—They are prevented doing so if we prosecute them, but it is so difficult to do that, that we let them pass off.

9037. Is there anything to prevent a man who is neither an unlicensed waterman nor a pilot taking a vessel through the north channel, if the captain wishes to employ him?—There is a great objection to that.

9038. What is the objection?—We lose a great many vessels going round to Newcastle sometimes; they ship as cook or fourth mate.

9039. You mean you lose the pilotage on those vessels?—We lose the pilotage.

9040. There is a class of men going up and down the north channel, apart from the pilots, who are neither licensed watermen nor pilots?—Yes.

9041. Is that a large class?—There are about 1,000 of them; they are mostly broken-down captains, mates, and persons of that kind.

9042. Do you consider that it is in consequence of the pilotage of the north channel being voluntary, that those 1,000 men obtain employment in piloting vessels up and down?—Yes, I do.

9043. And that if the southern channel was voluntary, you would have the same state of things there that you have in the north channel?—To a certain extent.

9044. But you, acting for special employers and special shipowners, would be exempt from these contingencies, and, in your opinion, you would still get full employment?—Yes.

9045. What class of shipowners do you principally pilot for?—Almost all the London firms, the West India ships, Dawson's, Hanson, Thompson's, and the great American vessels principally.

9046. Have you ever heard from any of the captains of foreign vessels which you take out that there is any obligation in the policy or register of the insurance clubs to take pilots?—No.

9047. Now, with regard to those broken down captains and mates whom you refer to, and who are employed to pilot vessels, as you say, in the northern channel, are they an increasing or a decreasing class?—They are rather on the increase.

9048. Why is that?—For want of other employment, I presume.

9049. But I suppose they would not find employment in the northern channel unless there was some one to require their services?—Just so.

9050. What

9050. What examination have you passed for a licensed pilot?—I have passed four examinations, for the lower draught of 14 feet for the north channel, and then for the lower draught of the south channel; the upper draught of the north channel, and the upper draught of the south channel.

9051. How many years altogether might you have been at sea before you passed your examination?—I was at sea three years as chief mate and master of a ship.

9052. Were you obliged to serve your time at sea?—I was apprenticed for seven years to a waterman previously; it was optional.

9053. Do you find in practice very much that the unlicensed watermen and the broken-down captains and mates charge very much less than what you do under the regular tariff of pilotage?—They only charge half as much.

9054. Suppose they charged the same as you do, do you think that any man would employ them in preference to licensed pilots?—No; they would not.

9055. You think that it is the price that brings those men?—More especially it is that.

9056. Do the licensed pilots between Gravesend and London interfere much with you?—Yes, among the small vessels; among the larger ones, they are all on the look-out if we are not on the spot, and they fly away with them immediately.

9057. That is to say, going up from Gravesend?—Going down also.

9058. But if they are always on the alert, how would that delay of a day occur?—That is, when there is plenty of ships on a fair night.

9059. Have you often known a ship delayed for 24 hours waiting for a pilot at Gravesend?—I have known them for upwards of 12 hours.

9060. Mr. *Stevenson.*] Do you represent any other pilots; are you deputed by any body to represent their views here?—We had a meeting, but some of them were not there when the day was appointed.

9061. Have you authority to speak for other pilots?—No, I am a volunteer on my own account.

9062. I suppose you have the liberty of taking ships all the way from London to the sea; that is to say, the river pilots do not interfere with you, I suppose?—Yes, they interfere, because we ask for the promise of a ship, and unless by some extraordinary stratagem we cannot get a ship, they get them away; many of them are interested in steamers, and they can get them cheaper than I can.

9063. What number of pilots are engaged in steamers?—Nearly the whole, or over half of them, in the Gravesend department, and 20 out of 50 in the London department.

9064. They are partners in steam-tugs?—Yes.

9065. Do they work in partnership with the steam-tugs, so as to get employment?—In many instances they do.

9066. Have you any share in those steam-tugs?—No.

9067. You depend on your own merits altogether?—Yes.

9068. Sir *Charles Wingfield.*] Have most of the Gravesend river pilots shares in steam-tugs?—Yes.

9069. Sir *Henry Selwin-Ibbetson.*] Do you state that on your own authority, from your personal knowledge?—Yes.

9070. Is there any return or paper which proves the fact?—We know that from the register of the steamers themselves.

9071. Mr. *Stevenson.*] Have the captains of those steam-tugs been pilots themselves?—No; they have been first-class watermen.

9072. Then the pilots who are partners in those steam-tugs are sleeping partners, I suppose?—No; I beg your pardon, they are active partners.

9073. Do they take part in the working of the steam-tugs?—No, not in the working of the tugs, but in obtaining employment for them.

9074. I suppose they make the one service help the other; they use their interest as pilots to help the steam-tugs, and their connection as tug-owners to obtain work as pilots?—Yes.

9075. You say that 20 out of 50 of your class of pilots are so engaged?—Yes.

9076. That would give those 20 an amount of employment as pilots quite independent of their personal merits as pilots?—Yes.

9077. Does that system of tug-ownership prevail in any other branches of the service; do the river pilots obtain business for themselves in the same way as the owners of steam-tugs?—Yes.

9078. You have stated that it was those river pilots who have shares in the steam-tugs that have displaced you from piloting ships?—Yes.

9079. In that case do you lose the pilotage altogether?—Yes, I do.

9080. They do not even take you on board at Gravesend, do they?—No, they work it with their friends at Gravesend.

9081. *Chairman.*] They drop you at Gravesend, and you find your way back to London as you best can?—They have got their own friends at Gravesend, and they ship them.

9082. Mr. *Stevenson.*] Are some of the Gravesend pilots working hand in hand with the river pilots to take the ships over from one to another?—Yes.

9083. Does that practice much prevail?—Yes.

9084. Is that one of the reasons why you said there should not be a station at Gravesend at all?—I never said that.

9085. I thought you approved of the system by which one pilot could take a ship all the way from London to the sea?—Yes.

9086. Then what advantage is there in having a change at Gravesend?—None, except to the river pilots, because they get the ships down as well as up.

9087. But a pilot that can bring a ship to Gravesend is, I suppose, as competent to bring the ship the whole of the way as you are?—Yes.

9088. The other system makes it more costly to the shipowner, does it not?—Yes.

9089. And there is the detention at Gravesend at times?—Yes.

9090. In a regular way do ships stop at Gravesend or do they go past?—A few ride past when they can; at times they do not wait for the pilot who has got a choice letter for them; I have known many cases of ships stopping at Gravesend for 24 hours.

9091. Is it in your opinion worth while to stop at Gravesend for 24 hours in order to obtain the services of one pilot rather than another?—Such is the fact, at all events.

9092. Are you ever obliged to leave a vessel at

Mr. *Speeding.*

24 May 1870.

at Gravesend coming up, in order to give place to a river pilot?—No.

9093. Once on board you stay on board?—Yes.

9094. But you miss the service downward in consequence of the river pilot having obtained the engagement before you appear?—Yes, having obtained the promise of the ship.

9095. Do you know any case of pilots being engaged through the interference of brokers' clerks and interpreters?—Yes, there is something of that kind going on. I have lost many ships myself by it.

9096. That is to say, you would have obtained the pilotage of some of them, only some other pilot, through the interference of the brokers' clerks or interpreters, has obtained the preference over you?—Yes, that is the fact.

9097. You presume, I suppose, that those men obtain a commission out of it?—I believe so.

9098. Is that practice believed to prevail extensively?—Yes, very extensively.

9099. Then there is no proper rotation of pilots?—Not at London.

9100. Is there at Dungeness?—Yes, there is at Dungeness, Deal, and Dover.

9101. But when you come nearer London this system of preferences begins?—Yes, it commences there.

9102. Has any complaint ever been made to the Trinity House with regard to that system of preference which you complain of?—There has been a complaint to the Trinity House, but I suppose they have been charged as interpreters, so much a ship when you want their assistance.

9103. Is that payment for interpreters sanctioned?—Yes, when we say that we need it, but we get through without it usually.

9104. When an interpreter is lawfully employed, where is he employed?—He is employed by the captain, at Gravesend.

9105. Do those interpreters go on board with you?—No, they do not go on board with me, but they go on board with other pilots.

9106. To interpret orders, I suppose?—Yes, to interpret orders.

9107. In fact, are the interpreters carried on board with the pilot?—No, not with the pilot; they are there themselves to obtain orders for the ships from the respective brokers.

9108–9. The interpreters are employed in the interest of the shipbrokers?—Yes, they are employed in the interest of the shipbrokers, and if we want their assistance we have to pay them for it.

9110. Mr. *Price.*] I do not understand that part of the system of which you complain; if I understand you rightly, you are licensed to take a vessel from London to the sea?—Yes.

9111. And to bring her back from the sea to London?—Yes, by taking the turn from the cutter, or from the shore, according to the rule.

9112. Then, supposing you are employed to go out to sea, when you leave the ship, what do you do if you desire to bring her back again?—We have to go on shore to report ourselves and to sign the rotation list; in the meantime, most of the ships have gone past with flags up, whereas, if we were permitted to go right on board, we should save that time.

9113. You have to go on shore and report yourselves on duty, and to be put on the rota for taking your turn?—Yes.

9114. You think that you ought to be entitled to be able to go to any ship that flies a flag, and offer yourself?—Yes.

9115. In that way you could bring a ship up all the way to London, could you not?—No, only all the way to Gravesend; we should be glad to do it.

9116. You can take a ship to sea past Gravesend, can you not?—Yes.

9117. But if you bring up a ship on towards London, you cannot pass Gravesend?—Just so.

9118. How is that distinction drawn?—It was drawn by some mistake there; many merchants read the Act that we ought to pilot a ship right up within the limit of the license; but there is another Act of Parliament which says that we are not permitted to do so.

9119. Is that what you call the Order in Council?—Yes.

9120. Under the Act of 1854?—Yes.

9121. When you come up with a ship you are superseded by the Gravesend pilot?—Yes.

9122. You believe that to be by accident and not by intention, I suppose?—It is by intention, because there is a rule to that effect.

9123. Is that for the benefit of the Gravesend pilots?—Yes, it is for the benefit of the Gravesend pilots, and it is much to the injury of the shipowners, and also the detention of the ships.

9124. I understand you also to say that the cost of bringing a ship from the Downs to London is greater, by reason of this division of pilotage, than it would be if the same man brought her all the way?—Yes, it costs from 15 to 20 per cent. more as the thing is worked at present.

9125. There would be a saving of from 15 to 20 per cent. in the ship's expenses if the same pilot could bring her all the way from the Downs to London, you think?—Yes, and it would also be a saving of time.

9126. The pilot does, in fact, take her one way now, does he not?—Yes.

9127. But not the other?—Just so.

9128. So that the pilotage outwards costs a less sum than the pilotage inwards, on account of the ship going outward with one man and coming inward with two men?—Yes.

9129. You say that the passing of this Bill would in no way interfere with your employment?—It would interfere so slightly that it is scarcely worth naming, because, if a man perseveres, if he does not get one ship he will get another.

9130. Do you look out for the ships, or does the shipowner look out for you?—No, we look out for them.

9131. Do you go to the shipowner's office?—No; we go on board the ship, and then if the captain recommends us to the owner we get our instructions from him; the captain generally refers us to the broker or merchant.

9132. *Chairman.*] I suppose nearly the whole of your employment is in outward vessels?—Yes, nearly the whole.

9133. You do not go on the rota?—Very seldom when there is a quantity of ships coming up.

9134. What proportion of the employment of those 50 pilots should you say was in respect of outward vessels?—There are only about four or five ships inward during the year in which they are employed.

9135. Practically it is all outward pilotage?—Yes.

9136. Mr.

9136. Mr. *Price.*] Is that because it is better worth your while to come straight off than to wait your turn at Dover to bring the vessels inwards?—Yes.

9137. But I suppose that under that system it takes a larger number of men to do the work than if the same pilot worked outwards and inwards?—Yes.

9138. That is to say, supposing the same pilot who took the vessel out could also bring a ship in, a less number of men could do the work than under the present system?—Yes.

9139. So that, in fact, the present system is devised to employ a larger number of men?—Yes.

9140. And a portion of every man's time is wasted?—A portion of every man's time is wasted.

9141. You do not think that system a good one?—It gives us time to squander away.

9142. You would rather be always employed?—Yes; that is to say, as far as the captains require us.

9143. You do not think that there is any reason why a man should be competent to take a ship out and not be competent to bring her in?—Certainly not.

9144. You think if he can do the one he can do the other?—Yes.

9145. Supposing that the system of pilotage were altogether free, would that system, in your opinion, still prevail?—Yes, I think it would still prevail.

9146. You think that you still would have to go out with one vessel and come back with another?—Yes, unless we had an alteration in the law.

9147. Are you yourself afraid that there would be any great falling off in the occupation of pilots generally under a perfectly free system?—In my opinion there would be no falling off at all beyond this, that it would be an open field for unlicensed pilots, who would do the work for less money.

9148. But it would not really diminish the number of pilots who would be employed, I suppose?—No.

9149. But it would get rid of a great many of those objectionable practices?—Yes.

9150. You are in favour of it?—Yes, I am in favour of it, because I think it would do a great deal of good.

9151. Sir *Henry Selwin-Ibbetson.*] The Committee have heard a good deal about the unlicensed pilots on the Thames, do they interfere at all with your business?—Many of them do; we lose many vessels by them.

9152. Another witness has stated that accidents happen more frequently to vessels under the charge of unlicensed pilots than licensed pilots; is that your opinion?—Yes, that is my opinion.

9153. Can you give the Committee any idea of the proportion of accidents that happen to vessels both under the charge of unlicensed and licensed pilots?—I could give the Committee a very fair opinion by taking particulars upon that; there are about one-half more accidents, I think.

9154. Have you yourself had any accidents?—I was run down once by a vessel.

9155. Have you been up before the Trinity House?—Yes.

9156. Often?—Yes.

9157. Have you been censured for irregularity of conduct?—Yes, sometimes.

9158. More than once?—Yes.

9159. Mr. *Gourley.*] You think that the Gravesend pilots should be allowed to take ships from London over the whole pilotage ground, and that the Downs pilots should bring ships from the Downs up to London?—Yes, those that think proper to pass an examination.

9160. You think that the pilotage license should be for the entire ground, and not for a portion of the grounds?—Yes, for the whole of the ground.

9161. Mr. *Cave.*] Are you a Trinity sea pilot?—Yes.

9162. Do you pilot sailing and steam vessels also?—Yes.

9163. When you spoke of 24 hours' delay at Gravesend, that was when the shipowner thought proper to wait for a particular pilot?—Yes.

9164. It was a matter of choice with him whether the ship should proceed or wait?—Just so.

9165. If the vessel were anxious to proceed at once, he could always obtain a pilot in much less time than that?—Yes, by hoisting a flag, unless there was a sudden change of wind; it might happen once in two or three months.

9166. What is the upper and what is the lower draught?—The lower draught is 14 feet, and the upper is all above that.

9167. Those whom you call first-class watermen are members of the Watermen's Company?—Yes.

9168. And licensed by them?—Yes, and licensed by them.

9169. Do they pass any examination?—No.

9170. If your plan was adopted, you would do away with the Gravesend river pilots, would you?—No; those that like to remain could do so.

9171. But if you had the same pilot taking ships from Dungeness to London, and from London to the sea, the river pilots would have n thing to do, would they?—Yes, there would be some of them, because they stop at Gravesend for orders.

9172. There would be a certain amount of employment for them?—Yes.

9173. But it would be diminished, would it not?—Yes, when there are any pilots there.

9174. *Chairman.*] Just a word or two about pilots of your class; they make higher earnings than any other pilots from London, do they not?—Some make 200 *l.* and some 500 *l.* a year, more or less.

9175. But the average earnings are higher, are they not?—Yes, rather higher.

9176. And they are almost wholly employed with outward pilotage?—Yes.

9177. You do not think that they will find any falling off in their employment?—Yes, I think they would find a trifling falling off in their employment.

9178. What proportion of your employment comes now from vessels that are not at present bound to carry pilots?—About two-thirds.

9179. Now, I presume, that all those vessels would continue to take pilots inwards after this Bill is passed, would they not?—Yes.

9180. Therefore, if the outward pilotage is not likely to fall off the inward pilotage is still less likely to fall off?—Yes.

Mr. *Speeding.*

24 May 1870.

9181. Inward pilots, as a rule, are wanted more than the outward pilots, are they not?—Yes.

9182. In your opinion there would be plenty of employment for the men at Dungeness and at Dover?—Yes, I think so.

9183. Mr. *Graves.*] Is there not some allowance made by the printed pilotage rates when a steamer is employed?—One-fourth off is allowed for steam.

9184. What proportion of vessels take steam now up and down the Thames?—Ninety per cent.

9185. *Chairman.*] Either steam or tug, I suppose?—Either steam or tug.

9186. Mr. *Graves.*] So that the printed tariff is no fair criterion?—No.

9187. Have you heard any instance in which a pilot has received a portion of the one-fourth reduction from the steam-tug owner?—Yes, I have heard of that occasionally; there is some commission allowed from certain companies to the pilots, but most of that is discontinued.

9188. You are not aware of that practice existing at the present time?—Not to any extent now.

9189. But it does exist?—It does exist; there is very little of it.

9190. *Chairman.*] Is it your experience that vessels in charge of tugs take pilots?—Yes, all of them.

9191. Even though they are not bound to do so?—Though they are not bound to do so.

9192. Are the pilots employed just as often when the vessels are in charge of tugs as when they are not?—Yes; perhaps there are 5 per cent. of exceptions.

9193. But as a rule the vessels require a pilot equally when they are in charge of tugs as when they are not?—Yes.

9194. Do you mean when they take a licensed pilot?—Yes, that is so.

9195. So that in the event of this Bill passing the employment of tugs is not likely to make any difference in the employment of pilots?—Except those going round in ballast to Cardiff; but not in regard to the loaded vessels.

9196. In the case of loaded vessels, you think that the employment of pilots would be as frequent, notwithstanding the employment of tugs?—Yes.

9197. Mr. *Graves.*] If that is your opinion would you consider that you had no claim for compensation under this Bill?—We should not like to ask for compensation, but when we have exerted ourselves, and got injured or disabled, we should ask for a larger pension; I think that is very small.

9198. *Chairman.*] You think that the pension granted at present under the Trinity House very small?—Yes, I have reason to think there are ample funds to enlarge it.

9199. It is small in proportion to the contribution you make, is it?—Yes.

9200. Is it not rather unfair that those pilots who pay so much more in proportion to their income should receive a smaller pension eventually?—The London pension is altogether small compared with the other.

9201. But you get no higher pension than the out-port pilots?—We get less.

9202. Though your contribution is much greater?—Yes.

9203. That is quite independent of the compensation clauses of this Bill?—Yes.

9204. Do you think there would be no need of compensation, because their employment would be as great as it was before?—No; when men get late in life they are not so active, and they ought to be pensioned off earlier.

9205. Sir *Charles Wingfield.*] With regard to accidents being more frequent in ships under the charge of unlicensed pilots than licensed pilots, is that above or below Gravesend?—Both above and below Gravesend.

9206. Mr. *Stevenson.*] It appears by the Regulations of the Trinity House, that when a choice letter is granted for a vessel that letter must be stamped at the Trinity House?—Yes.

9207. How often is that stamping required?—It is required for every vessel.

9208. And every voyage?—And every voyage.

9209. Is that rule strictly enforced?—It is.

9210. Do you mean to say that in every case in which you are selected out of your turn, that such a letter is signed and taken to the Trinity House and stamped?—Yes.

9211. Is any charge made for stamping it there?—Not for the London pilots.

9212. Is any charge made for other pilots?—Yes, for the sea pilots from Gravesend, and also for the river pilots.

9213. How much is that charge?—It is 10 *s.* for a sea pilot and 2 *s.* 6 *d.* for a river pilot.

9214. For every separate act of a pilot when a pilot is taken out of his turn, that process is gone through?—Yes.

9215. You said that pilots are very often taken out of their turns?—Yes.

9216. Is this rule of stamping the choice letter strictly adhered to?—Yes.

9217. There must be a considerable revenue derived from those charges, must there not?—They get this money back again when they go with the ship, and in the event of their not going with the ship the money is forfeited.

9218. *Chairman.*] Have you anything further to state to the Committee?—No.

Mr. George Thomas Hinton, called in; and Examined.

Mr. *G. T. Hinton.*

9219. Sir *Charles Wingfield.*] You practice as a waterman pilot between London and Gravesend, do you not?—Yes.

9220. But not beyond?—No.

9221. You are a freeman of the Thames Watermen's Company, are you not?—Yes.

9222. You have no Trinity House license?—No.

9223. You are one of the persons referred to in the Act of 1854 as unqualified, are you not?—Yes.

9224. You served your apprenticeship to the business, I believe?—Yes.

9225. For how long did you serve that apprenticeship?—For seven years.

9226. Were you employed during that apprenticeship in piloting ships?—Yes.

9227. What kind of ships?—Sailing vessels.

9228. When you were out of your apprenticeship, you were admitted a freeman of the Watermen's Company, were you not?—Yes.

9229. Does

9229. Does the licence you hold from the company require to be annually renewed?—Yes.

9230. The license runs in this way, that the master wardens and assistants, license So-and-so, to work as a waterman in the navigation of sailing boats and steamboats?—Yes, in all parts of the river; from Teddington Lock to Lower Hope.

9231. I believe that ever since you obtained your licence in 1853, you have been engaged in piloting ships between London and Gravesend?—Yes.

9232. What class of ships were they generally?—Sailing vessels up to the year 1860.

9233. And since then, you have been employed in piloting steamers?—Yes. I was employed in piloting steamers and sailing vessels up to the year 1862, and from the year 1862, up to the present time, I have piloted steamers alone.

9234. Do some shipowners require their ships to be piloted by free watermen between London and Gravesend, as well as by a Trinity House pilot?—We are employed by the owners.

9235. Do the owners take both on board?—Yes.

9236. They have a Trinity House pilot, and you on board also?—Yes.

9237. Can you give the Committee the names of any shipowners who employ you as pilot for their ships?—Mr. Gourley and Mr. Norwood.

9238. Both members of this Committee?—Yes. Mr. Charles Fenwick and Mr. M'Kenzie; but within these two years Mr. Norwood has not employed me with a pilot on board any of his ships.

9239. But other shipowners do so employ you then?—Yes.

9240. They take a licensed pilot and they take you also, do they?—Yes.

9241. And on several ships you are the sole pilot in charge, are you not?—Yes.

9242. Do any other shipowners or masters of ships, besides those four gentlemen, employ you?—Yes, captains employ me.

9243. You have testimonials from shipowners and captains who have employed you, testifying with regard to your skill and ability, have you not?—Yes.

9244. What is your charge for piloting a vessel?—From 25*s.* to 40*s.*

9245. Forty shillings is your maximum charge, is it?—Yes.

9246 What is the maximum charge of a Trinity House pilot?—It would depend on the draught of water.

9247. Take a biggish ship, what would that be?—For a vessel drawing 23 feet of water the charge would be 9 *l.*

9248. Whereas you would only charge 2 *l.* for the same class of ship?—Just so.

9249. You never take more than 2 *l.*?—Never.

9250. What are your average earnings as pilot for the last three years?—As near 500 *l.* as possible.

9251. Mr. *Price.*] As a waterman pilot?—Yes.

9252. *Chairman.*] You are better off than the licensed pilots then, are you not?—I think not.

9253. Sir *Charles Wingfield.*] How many free watermen of your class are now engaged like yourself exclusively on steamships?—There are 20 or 25 of them.

9254. That is to say, exclusively in steamships?—Yes.

9255. Did you hear Mr. Pattison say that there were only 10 or 12 unlicensed watermen between London and Gravesend?—He said so.

9256. But he referred perhaps to those employed only on steamships?—Perhaps so.

9257. But you say, as one of them, that there are 20 or 25?—Yes.

9258. Does Mr. Fenwick, who is a great shipowner, and one of the Elder Brethren of the Trinity House, keep constantly in his employ a staff of six free watermen to pilot his ships?—He employs six free watermen, but there is only one employed with a pilot, that is with a sea pilot down the river.

9259. Is he a free waterman?—Yes, he is a free waterman, and he is employed with a pilot.

9260. And the rest have the full and exclusive charge of the ships, have they not?—Yes, they have the full and exclusive charge of the ships.

9261. Is it true, as has been stated before this Committee, that those free watermen are taken merely to haul up and lower boats, and not to pilot ships?—They are taken to pilot the ships; there is not a licensed pilot on those ships with the five free watermen; I mean on Mr. Fenwick's ships.

9262. In addition to those 20 or 25 watermen employed exclusively on steamships, are there many other free watermen engaged in piloting vessels between London and Gravesend?—Yes.

9263. Are those other free watermen principally employed in sailing vessels?—Most of them.

9264. How many do you suppose are engaged in that way?—From 400 to 500.

9265. Now what do you estimate the earnings of those men at; you say that you earn 500 *l.*?—Yes.

9266. There is one who earns 900 *l.*?—Yes.

9267. There are 25 who earn 200 *l.* each, are there not?—Yes.

9268. And 400 men who earn 50 *l.* each?—Yes.

9269. The total average earnings amount to 26,400 *l.*, do they not?—Yes.

9270. Have those 400 or 500 free watermen served an apprenticeship like yourself to the Watermen's Company?—Yes.

9271. With regard to that pilot who earns 900 *l.* a-year; who is he and what is the reason of his earning so much more than any one else?—On account of the great amount of work which he is employed to do by owners.

9272. *Chairman.*] Has he got some special connection?—Yes.

9273. What is his special connection?—He works for Mr. Fenwick of the Trinity House.

9274. Sir *Charles Wingfield.*] What is that pilot's name?—His name is Raine.

9275. Those 500 are free watermen actually engaged in piloting; but besides those are there watermen who act merely as boatmen, bargemen, and lightermen in the river?—Yes; I believe there are nearly 10,000 watermen, but the number, which I say is between 400 and 500, are actually engaged in the navigation of ships in the river.

9276. Under the Order in Council of the year 1854, 23 watermen were licensed to pilot home-trade steam passenger ships, were they not?—Yes.

9277. But they can be superseded on coasters or on other vessels not carrying passengers?—Yes.

9278. What vessels do the licensed pilots or

Mr. *G. T. Hinton.*
24 May 1870.

Trinity House pilots principally take between Gravesend and London?—Steamships and ships towed by steam.

9279. To what port are those steamships bound, or coming from what port?—From the southward, north of Boulogne, and the foreign Baltic vessels.

9280. Do they go with more foreign Baltic vessels than you do?—I am only employed by the owners to go with the southern-going foreign ships.

9281. But do the licensed pilots take more of the foreign Baltic vessels than the unlicensed pilots?—Yes.

9282. But not the British vessels in the Baltic trade?—No.

9283. The Baltic is closed in the winter time, is it not?—Yes.

9284. Then those same steamers which in the summer time are employed in the Baltic trade are in the winter time engaged in the coasting trade?—Yes.

9285. I suppose the Trinity House pilots do not go on board those vessels when they are on the coasting trade?—No, they never interfere with the coasting trade.

9286. *Chairman.*] But do the Trinity House pilots go on board those vessels which are on the Baltic trade?—Yes, any vessels but a collier.

9287. They are not bound to carry pilots then?—No.

9288. Sir *Charles Wingfield.*] So that, in fact, the owners of those ships have to pay more for pilotage in the summer, when the work is easy, than in the winter when the work is heavy?—Yes.

9289. If a Trinity House pilot took a dislike to a particular free waterman, could he by his power of supersession deprive him of his work?—Yes.

9290. And after the active part you have taken in this question, do you think they will drive you off the ships?—They threatened to do so; they say that they will supersede me at every point; my station is Gravesend which is their station; they go on board the ships there; even if a ship is stopping for me, they would supersede me.

9291. Have you heard that they intend to press themselves on all the Baltic ships that your class of men have been taking?—They say so.

9292. Are they sufficiently numerous to do so?—For steamers they are, but not for sailing vessels; they never touch English sailing vessels; it is only steam vessels that they touch.

9293. *Chairman.*] They have the right to supersede you everywhere, have they not?—Yes.

9294. But they exercise their right only in the case of steamers?—Just so.

9295. Sir *Charles Wingfield.*] What is the reason for their interference with the steamers?—The steamers get done so much sooner; whereas a sailing vessel takes two days, a steamer would only take two hours perhaps.

9296. The quicker they do the job the more they earn, I suppose?—Yes.

9297. If you wish to obtain a Trinity House license, what stands in your way?—I have not served at sea for 12 months as captain, and, as I have passed the age of 35 years, I am not called upon, even had I gone to sea.

9298. You could not now obtain a Trinity House license, though you are prepared to pass the examination?—Just so.

9299. I suppose the requirements of the Trinity House render it impossible for the great majority of the free watermen pilots to obtain a license?—Yes.

9300. Is it the case that the Trinity House have not for the last 12 years licensed any but free watermen as pilots between Gravesend and London?—I think that for the last 18 years none but free watermen have been licensed.

9301. But they must have been to sea also?—Yes.

9302. I believe the Government ships are exempt from forced pilotage?—Yes.

9303. Is it the fact that the Government has appointed two free watermen to pilot their ships between London and Gravesend?—Yes.

9304. They are both watermen pilots?—Yes.

9305. That is to say, they are watermen employed to pilot Government ships?—Yes.

9306. *Chairman.*] Do you think the Government employ those men in preference to the licensed pilots?—I do not know that; all I know is that they are called upon to pilot the vessels.

9307. Have they a licensed pilot as well on board?—No; they have passed an examination at the Trinity House.

9308. The Trinity House examines them?—Yes.

9309. Do they charge the rates of the free watermen or of the licensed pilots?—I do not understand their rates; I think it was formerly under the pilotage rates, but I believe that the Government has increased the rates of those men.

9310. Sir *Charles Wingfield.*] You say that the Trinity House have examined those men?—Yes.

9311. In what way do they differ from the Trinity House pilots?—They have not been to sea, that is all.

9312. Are the Committee to understand that those two free watermen, who are regularly employed to pilot the Government ships, have not been to sea?—Just so.

9313. And yet the Trinity House insist on service at sea as an indispensable qualification to act as river pilots, do they not?—Yes.

9314 And many of the Trinity House river pilots acquire their skill on the river as watermen?—Yes, they did so.

9315. Messrs. Chapman, Martin, Ives and Landour served their apprenticeship as free watermen on the river?—They have served their apprenticeship, but Mr. Ives is not a free waterman; he did not take his freedom. I believe Mr. Pattison was bound to a freeman, but I believe he did not take his freedom up.

9316. What I understand you to wish is that you should not be liable to be superseded between London and Gravesend on coasters and on British ships trading to and from the Baltic, or elsewhere, north of Boulogne?—Yes.

9317. In fact, that you should not be superseded on the vessels that you have practically been in the habit of piloting heretofore?—Yes.

9318. You wish to be allowed to continue to do the work which you have been in the habit of doing, without being at the mercy of any other class of pilots, do you not?—Yes.

9319. You would be ready, if the Trinity House would license you, to submit to an examination, would you not?—Yes.

9320. *Chairman.*] Do I understand you that there are from 400 to 500 watermen earning about

about 50 *l.* a year by piloting those vessels?—Yes.

9321. They take vessels of small size?—Yes, colliers; Jersey vessels and Guernsey vessels.

9322. In fact, all vessels that are exempt from compulsory pilotage?—Yes.

9323. Do I understand you that almost every vessel that does not come within the compulsory size does practically take a pilot, though not a licensed pilot?—Yes.

9324. They take watermen?—Yes, they take assistants of some kind.

9325. They take assistants of some kind for the purpose of piloting their vessels up to London?—Yes.

9326. Is that only done between London and Gravesend?—Yes.

9327. Does it extend below Gravesend?—Some watermen pilots ply for vessels in the Channel sometimes, likewise the Scotchmen; they go below the Nore.

9328. Is that very often done?—Yes, very often.

9329. Should you say that half of them go below the Nore?—No; I know little about those men.

9330. Where does your business begin?—My business begins at Gravesend; I never go below Gravesend, and never have.

9331. Do you go backwards and forwards?—Yes, I go backwards and forwards; I am employed both ways.

9332. Then, as I understand you, there has been a tacit understanding between you and the licensed pilots that they will not supersede you when you are on board certain vessels?—No, there has been no understanding in any way.

9333. But, in fact, they have not done so, have they?—No, they have not done so.

9334. But they have the right to do so?—Yes, they have the right to do so on everything which we go on.

9335. And they have not done so hitherto in respect of a certain class of vessels, coasting vessels and vessels generally exempt from compulsory pilotage?—Just so.

9336. But in the case of the Baltic vessels, though the vessels are not bound to carry pilots, the licensed pilots do supersede you at times?—Yes.

9337. That is to say, when they have not got employment for themselves?—Yes.

9338. So that they have got the preference over you in every way?—Yes.

9339. And if they please they can supersede you at every point?—Yes.

9340. But it has not been convenient for them to do it with regard to a certain class of vessels?—Just so.

9341. You are afraid that if this Bill passes, they will commence a new arrangement, and supersede you whenever they find you, are you not?—Yes.

9342. And you want protection against that?—Yes.

9343. Though you have no legal status, in practice you think that you have a claim for some little consideration?—It is a thing I was brought up to when I was a boy, and I think it would be very hard, after 26 years' work on the water, to take it away from me.

9344. But your fear is that those people will supersede you in respect of those particular vessels, is it not?—I am quite sure they will.

9345. And that fear arises from the belief that they will not get enough employment voluntarily?—No, I think not.

9346. But inasmuch as all the vessels that are not bound to carry pilots take watermen, will not the vessels that are now bound to take pilots, when the Bill is passed, take men of the same kind?—They will.

9347. Then it would be competent to the licensed pilots to supersede the men with regard to those vessels, as they do now?—Yes.

9348. So that they could confine themselves to the same class of vessels?—Yes.

9349. They would have the same means of doing so?—Yes

9350. Then there would be no falling off in the employment of river pilots, would there?—None whatever.

9351. And they have no reason to be alarmed?—Not the least; it will make no change whatever in that respect.

9352. But you are afraid that they may take some employment from you?—Yes, they have said that they will do so.

9353. And do you think that they really will?—I am quite certain of it.

9354. Sir *Henry Selwin-Ibbetson.*] You have said that they supersede you occasionally now in vessels from the Baltic?—Yes.

9355. Are those vessels coming from the northern or the southern channel?—From the northern channel.

9356. I thought the northern channel was compulsory at present?—No, it is not compulsory.

9357. *Chairman.*] But I understand you to say that the practice of superseding does affect vessels coming from the Baltic by the northern channel?—Yes; but then with regard to the colliers that come north they never interfere.

9358. So that with regard to Messrs. Fenwick's vessels when they are employed in the Baltic trade, and therefore not bound to carry pilots, yet the licensed pilots insist on being employed by those vessels; but when those vessels are employed in the coasting trade, even though they find the watermen upon them, the pilots do not trouble them?—No, never.

9359. A licensed pilot has a right to supersede an unlicensed pilot at any time, has he not?—Yes.

9360. And he could supersede you with regard to those vessels when they are employed as colliers, could he not?—Yes.

9361. And you fear that after the passing of this Bill, they will take upon themselves to supersede you everywhere?—I am positive of it.

9362. Inasmuch as every vessel wants assistance of some kind, they would have the right to do it in all cases?—Quite so.

9363. Mr. *Graves.*] Can you explain why it is that a pilot is also engaged as you have mentioned, when you are taking a vessel down?—The pilotage is compulsory; but I am employed by the owner to be with the pilot to navigate the vessel.

9364. Supposing the pilotage was voluntary, would that pilot still be engaged; you say that a pilot is sent on board along with you to take those vessels down, because it is compulsory pilotage?—Yes.

9365. Supposing the pilotage was voluntary, and it was at the option of the owner whether he would

Mr. *G.T.Hinton.*

24 May 1870.

would take a pilot or not, would he still take one?—No.

9366. He would then depend entirely on you to pilot his vessel down the river, you think?—Yes.

9367. So that the law which made pilotage voluntary, would give that amount of preference to the licensed watermen, would it not?—The law gives the preference to the licensed pilots.

9368. But if the law were made voluntary, you think the owner of a ship would not then do that when he is now obliged to do so?—I cannot say how that would be.

9369. Why do you think you would have the preference over the licensed pilots?—They think perhaps that we have had more practice, and that we are better skilled in the navigation of vessels than the pilots.

9370. You charge 2 *l.* against a licensed pilot's 9 *l.*, do you not?—Yes.

9371. But suppose the system was voluntary, and suppose that the owner would dispense with the service of the pilot, and rely entirely on the services of a licensed waterman, I ask whether the preference given to you is not now very much a matter of money?—No, I think not.

9372. You think that it is a preference of skill?—Yes.

9373. In what way do you consider the skill of a licensed waterman superior to the skill of a licensed pilot?—On account of our continual practice from our boyhood; and we serve an apprenticeship of seven years to it.

9374. Is that a servitude of seven years which is required by the rules of the Licensed Watermen's Society, in order to become a member of it?—Yes, that is the servitude required by the Licensed Watermen's Society.

9375. There is no special servitude to enable you to pilot a vessel beyond that, is there?—No, none whatever.

9376. So that that seven years is simply an apprenticeship of admission into the Watermen's Society?—Yes.

9377. And I suppose every one of the 5,000 or 6,000 watermen would be considered by that servitude able to become pilots?—If they were qualified.

9378. What qualifies a licensed waterman to be a pilot?—There is a class of watermen who have been trained to it. We can trace it back for nearly 200 years; it is a branch which we have taken entirely to ourselves.

9379. Do you restrict the numbers?—No, nothing except that we must be free watermen.

9380. *Chairman.*] Is it not the fact that any one of the 8,000 or 10,000 watermen on the Thames may, if he can obtain employment, act as an unlicensed pilot?—Yes, any waterman can so act. But it is a branch of the trade that a certain class has taken up; we sprang from Greenwich, and we went on with the colliery vessels from the Baltic; the Watermen's Company has nothing to do with it, except that we have that freedom.

9381. Mr. *Graves.*] I think I understood you to say that you have passed no examination whatever to show that you are qualified to pilot vessels up or down?—None.

9382. Do you not think that it would be a useful thing if there was to be an examination by the Watermen's Company to enable the men of their own body to become pilots?—I think not.

9383. You would leave it then for any man to come in and say that he could pilot a ship?—Yes.

9384. Supposing a man came from Shields, and he said he had been many years on the river, would you let him pilot a vessel?—Yes, by passing an examination.

9385. But you think that a waterman ought to pass no examination?—A man that has been half his lifetime in the business must know a great deal about it. If necessary they should pass an examination, and every person on the river qualified should hold a license to navigate vessels; but so far as I am concerned I am for free trade in pilots. So far as the river is concerned I would throw it open, and allow anyone to come in by passing an examination on the London river.

9386. *Chairman.*] Would you do that without any regulation with regard to price?—Yes.

9387. You have no regulated price, have you?—No; it is by agreement with the owner or captain.

9388. It is a mere matter of bargain, in fact?—It is a mere matter of bargain.

9389. Mr. *Graves.*] Do the owners at all employ pilots in order to exempt themselves from liability?—I cannot say.

9390. You have stated that two men passed an examination to enable them to take Government vessels up and down the river?—Yes.

9391. What kind of examination did they pass?—The same as any other pilot would pass, I believe.

9392. In fact, those men are regular licensed pilots?—Yes, for Government service only.

9393. You do not mean the Committee to understand that merely as licensed watermen they were authorised to pilot Government vessels in preference to licensed pilots?—They were exempt from going to sea; they passed an examination at Trinity House directly the Government selected them, and they navigate ships belonging to the Government.

9394. *Chairman.*] I understood you to say that the Government took those two watermen in preference to taking licensed pilots?—I cannot say that; but they were selected by the Government to do that work out of the Watermen's Company.

9395. Mr. *Graves.*] Before they were allowed to take charge of the vessels they had to pass an ordinary examination, the same as a Trinity House pilot, had they not?—Yes.

9396. Sir *Charles Wingfield.*] But that proves that the Government did not think that service at sea was indispensable to those men's efficiency as river pilots?—Yes, I think so.

9397. Who licensed you as a waterman?—The Watermen's Company.

9398. The Corporation?—It was incorporated the year before the Trinity House.

9399. Do you pay anything for that?—I pay 3 *s.* a year to renew the license.

9400. What do the Watermen's Company do in return for that 3 *s.*?—They have hitherto given me the privilege of working on the water.

9401. *Chairman.*] Their privileges have been transferred to the Thames Conservancy, have they not, by another Bill?—I think it is about to be transferred to the Thames Conservancy.

9402. Mr. *Graves.*] Now about the rate; in round numbers you charge about one-fourth of the regular pilotage?—Yes.

9403. Supposing the system was perfectly free as you desire to have it, would not the result be probably

probably that those who charge one-fourth would get the preference of the great bulk of the work, and those who charge a greater sum for doing the work would be unemployed?—Yes, I think so.

9404. If you were a shipowner yourself, would you not be apt to employ the cheaper man?—I should be apt to give the preference to the best man.

9405. That, from your point of view, would be the licensed waterman?—Yes, but should a license be granted to me I should be perfectly satisfied with the charge made by me at the present time.

9406. Mr. *Stevenson.*] Do you pilot the screw colliers from the Tyne?—Yes.

9407. Those vessels make a voyage each way in a week, do they not?—Sometimes they make two voyages a week

9408. From the Tyne?—Yes; Mr. Fenwick will sometimes make two voyages a week, and discharge two cargoes a week.

9409. Then those steamers will come up the river a hundred times, and down the river a hundred times in a year?—They have been known to make 70 or 72 voyages in the year.

9410. Therefore, you are employed on each of those vessels 140 times a year; 70 times inwards, and 70 times outwards for each of those vessels?—Yes.

9411. Do you charge the inward and outward pilotage separately?—I think the lowest sum obtained from those vessels is 1 *l.* for a collier, or 25 *s.* for a screw collier; 1 *l.* each way, larger vessels 25 *s.*, that is 2 *l.* 10 *s.* for both ways.

9412. You multiply that by 70?—Yes.

9413. So that your charge for those vessels is about 210 *l.* a year?—Yes, not the vessels that I go with; I do not navigate those vessels, but they are navigated by the free watermen.

9414. So that each of those screw colliers making 70 voyages a year will pay 170 *l.* a year?—Yes.

9415. If those vessels employed a regular licensed pilot, they would have to pay 70 times 9 *l.*, which would be 630 *l.*?—I think each vessel would average 3 *l.* each way.

9416. That would be 420 *l.* a year?—Yes.

9417. So that there is a saving to the owner of those screw colliers of 250 *l.* a year in the employment of a licensed waterman, instead of the employment of a regular river pilot?—Yes.

9418. You say that sometimes a licensed pilot is employed on board a vessel at the same time as you are?—Yes.

9419. Why is he taken on board at all if you are competent to do the work?—It is the state of the law which compels them to be there.

9420. Then why does not that happen in all cases?—In those vessels the pilotage is compulsory.

9421. Do you mean passenger vessels?—No; I mean vessels bound to the southward; in those the pilotage is compulsory; then I am employed with the pilot on board.

9422. How are you paid in that case?—I am paid the same as if I navigated the ship without a pilot.

9423. Are you paid the same as a regular pilot?—No.

9424. How much does a regular pilot get?—I daresay the average would be 3 *l.* each way for that class of vessels.

9425. You get about half of what he gets, I suppose?—Yes.

9426. Mr. *Brassey.*] When you are engaged in one of those vessels with a pilot also on board, do you assist the pilot?—I take charge of the vessel.

9427. What does the pilot do, has he anything to do at all?—His employment would be after I leave him at Gravesend.

9428. But so long as you are on board between London and Gravesend you act as pilot?—Yes.

9429. But the pilot is a mere passenger?—Yes. I work for a certain class of vessels, and the owners employ me whether the pilot is there or not; the pilot does not stand in my way because he knows the owner's wish; we go on smoothly.

9430. The owner has to pay the pilot for nothing in that case, has he not?—Yes.

9431. You are speaking now of a pilot belonging to the class licensed to navigate between London and Gravesend, are you not?—Yes, I am speaking of both classes; the sea pilot and the Gravesend pilot.

9432. And in the waters for which he is licensed you are on board at the same time; you are in charge, and he is merely a passenger?—Yes.

9433. When an apprentice to the Watermen's Company goes to take up his freedom, there is no examination with regard to his capabilities, is there?—No, none whatever; it is merely signed by three freemen.

9434. A man who has served for a prescribed period on one of those dumb barges, gets his license as a matter of course on the payment of the fees, does he not?—Yes.

9435. Do you know what class of men are usually employed by the owners of yachts in sailing matches on the Thames, to pilot their vessels?—Free watermen.

9436. In preference to pilots?—I do not know; pilots are very seldom employed in matches; they are generally free watermen.

9437. Those free watermen are chosen because it is a task of great difficulty, and it is important to get the very best men, is it not?—Yes.

9438. Mr. *Price.*] What is the nature of the examination which you pass before you are admitted as a free waterman?—None.

9439. I thought you said that you passed an examination when you obtained the license for 3 *s.* a year?—No.

9440. You are admitted without an examination upon apprenticeship?—We are admitted after service of seven years, by the signature of three freemen. They give you a license without any examination at all.

9441. Out of the seven years, will the time have been very much employed in pilotage duties?—The whole of it.

9442. But has not the waterman other duties besides pilotage duties to attend to?—Yes; there are thousands employed merely to row barges about, and ply scullers at the different stairs on the Thames, but we are a class who have served on the Thames solely in the navigation of ships.

9443. In fact, anyone who has served on the river in any way for seven years, may be admitted as a free waterman?—Yes.

9444. Your employment is chiefly on the part of the shipowners, or merchants, or captains who employ you from personal knowledge of your qualifications?—Yes.

Mr. *G. T. Hinton.*

24 May 1870.

9445. You are frequently on board also when there is a licensed pilot on board?—Yes.

9446. But that pilot is only a passenger until you have left the ship?—Yes.

9447. But, although he is only a passenger until he has left the ship, he is paid?—Yes.

9448. He is paid as though he were doing work?—Yes.

9449. Then, in that case, the captain or owner of the vessel takes you because he wishes you to navigate the ship, although he is obliged to pay another man who does not navigate the ship?—Yes.

9450. But you said that you were very rarely if ever superseded?—I am superseded sometimes on board the Baltic vessels.

9451. But not often?—Not often.

9452. Is the reason that they do not supersede you because there is nobody to supersede you?—There is always a pilot to supersede those navigating steamers; they confine themselves principally to steam vessels and vessels towed by steam.

9453. Why do they confine themselves to vessels navigated by steam?—Because they get done so much quicker; a steamer takes three hours where a sailing vessel takes 48.

9454. And if you were to go on board a steamer, you would very likely be superseded?—I am superseded now and again on the Baltic vessels.

9455. Is there always a staff of licensed pilots about?—No, not enough to do the work; there is work enough for 200 men in London.

9456. You speak now entirely of river pilots, I suppose?—Yes, I know nothing of sea pilotage.

9457. You think that the present number of licensed pilots are not adequate to perform the duties on the river?—Certainly not.

9458. So that there is room for you?—Yes.

9459. Suppose this Bill were to pass and pilotage ceased to be compulsory in your part of the river, do you think your condition would be better or worse than it is now?—It would be worse from the active part I have taken, because they would supersede me at every point.

9460. They could not do that if pilotage were made free, could they?—I should not be a licensed pilot still.

9461. You think that you would be more suspended than you are now?—I am sure I should.

9462. You are still in favour of free pilotage?—Yes; I think there would be a better class of men coming to the work; I do not think that there is a class of men in the world like the free watermen in narrow waters.

9463. You still think you would find enough to do in that case?—Yes, should the license be granted by passing an examination, but not otherwise; I know that I shall be a great sufferer from the active part I have taken in this matter.

9464. Mr. *John Stewart Hardy.*] Mr. Thomas Raines, the man who makes 900 *l.* a year by pilotage, is a Trinity House pilot, I suppose?—He holds the waterman's license.

9465. But he is also a Trinity House pilot, is he not?—He holds a license from the Trinity House for the home-trade passenger ships, not for colliers.

9466. He is a licensed Trinity House pilot?—Yes.

9467. Do you know whether his charges are high or low?—They are the same as the watermen's.

9468. Then, I suppose his large income comes from large employment?—Yes.

9469. How does he find enough vessels in the course of a year, at 25 *s.* to 40 *s.*, to earn 900 *l.*?—I have known him to go with five ships within 12 hours.

9470. The coasting trade is not, as a rule, interfered with by licensed pilots, is it?—It is not at all interfered with.

9471. The coasting trade is about the only trade in which licensed pilots do not supersede you, is it not?—Yes.

9472. I suppose, if you are on board a ship, you do not let a licensed pilot get possession of it very easily?—I am placed there by the owner.

9473. You say that you have been on board a vessel with a licensed pilot also on board?—Yes.

9474. And, in that case, the pilot was merely a passenger?—Yes.

9475. You took charge of the vessel, did you?—Yes.

9476. Did you board a vessel, called the "Asia," in the Victoria Docks, with a pilot of the name of Mr. Dean on board?—Yes.

9477. Did you take charge of the vessel in that case?—Yes.

9478. We have another question before us, which is the alleged extreme desire of the owners, in compulsory pilotage waters, to avoid liability; do you mean to say that the owners are willing to take a pilot on board, and let you manage the vessels, when that entirely destroys the liability?—Yes.

9479. I suppose that in the water where you pilot there is no danger except from navigation; I mean there is no danger from storms and so on?—Very little; but there is an obstruction in the river, and a pilot towed a ship on to it the other day.

9480 But there is no stress of weather in the waters which you pilot in?—There is no danger.

9481. There may be, therefore, comparatively free trade there, because there is no danger of a pilot coming out in very bad weather, and driving a very hard bargain, which might be the case in the open sea; is not that so?—That is so.

9482. Free trade in the river is in a very different position from what it must be in the open sea, is it not?—Yes, there is no danger of that kind.

9483. You say that there are about 500 of these watermen?—There are over 400.

9484. Out of that number it is only comparatively few who have got a character such as you have in knowledge of the river, and who make this large income, I suppose?—Only a few of them.

9485. And, therefore, if the pilotage system was made entirely voluntary, the men who are well known would continue to make a good income, and a great many would fall off to that 50 *l.* a year which you have mentioned, would they not?—No. There are a class of vessels in the river that pilots would never interfere with; that is to say, small vessels in the coasting trade.

9486. But of the free-trade pilots, the very large majority only earn 50 *l.* or 60 *l.* a year, do they not?—Just so.

9487. Mr. *Gourley.*] Your knowledge of the Thames

Mr. *G.T.Hinton.*

24 May 1870.

Thames is practical knowledge, gained by service on the river?—Yes.

9488. You have informed the Committee that some owners of ships give you the preference in the navigation of their ships from London to Gravesend, and from Gravesend to London?—Yes; I may say that that is on account of their knowing me and of knowing my abilities.

9489. But I speak not of you personally, but of the watermen generally who are employed in that way?—Just so. The owners having great trust in the watermen, they like to have them on board with the pilots.

9490. But why do the owners like it?—On account of the skill of the watermen.

9491. Do the shipowners consider that the skill of a waterman is more than that of the licensed Trinity pilots?—In most cases. But I may say that there are first-class men among the pilots, and there are others who are not so well acquainted with their duties.

9492. How many vessels come up and down the Thames in a day?—I have started from London on low water, and I have passed a thousand sail going to Gravesend; that is to say, a thousand ships of every description, sailing barges, billy-boys, schooners, and brigs, under different directions, some under tug and some under sail, and so on.

9493. The primary reason why licensed pilots have not superseded the watermen who navigate ships is in consequence of the trade having overtaken the supply of pilots from the Trinity House, is it not?—Yes.

9494. That is to say, they are not capable of doing all the work that there is to do; I mean with regard to the number?—Just so; there is work enough for 200 men on the river.

9495. Therefore it is not correct, what another witness said here some time ago, that 70 licensed pilots could do all the work on the river?—No; all the vessels from the Channel Islands are never touched by the pilots; and all the Baltic English sailing vessels are never touched by the pilots; and then there are all the colliers from the north, they never touch them. My opinion is, that there would be sufficient work for 200 men, or more.

9496. Would the watermen who are now in the habit of navigating ships on the Thames be willing to undergo an examination at the hands of the Trinity House, do you think?—Many of them would, but not nearly the number that I stated; I do not believe there are more than 50 out of the number who would ask for a license, because they are working in a direction in which no pilot would ever interfere with them.

9497. How long are you occupied in taking a vessel from London to Gravesend?—The average time occupied is two hours and a half to three hours.

9498. You consider, I suppose, that the remuneration you receive is ample for the time you are employed?—Yes.

9499. Do you know anything with regard to the number of accidents that occur in connection with licensed pilots, as compared with unlicensed pilots on the river?—I do not think that there is much difference between them; but if the licensed watermen or the watermen pilots do more damage than licensed pilots who only go in daylight, then there is an excuse for the watermen pilots, who are supposed to go at all times, night or day; and therefore if they meet with an accident on a dark and stormy night, there is an excuse for them; but the Trinity House pilots never go except in the day time.

9500. The cargo ships are only navigated during the day and not at night?—Quite so.

9501. If this Bill becomes law, what effect will it have on the watermen?—I believe that the pilots will put the law more into force against the free watermen, and that this connection with the steamers would be superseded almost entirely by the pilots; we should nearly lose all of them.

9502. That would cause the watermen to lose something like 20,000 *l.* a year, would it not?—Not so much as that.

9503. How much do you think it would amount to?—£. 10,000 or 15,000 *l.* a year.

9504. If the Bill becomes law as it stands, the watermen would naturally look for compensation at the hands of the Government, would they not?—I cannot say.

9505. You would not think it right that the Bill should suddenly become law, to deprive a certain class of men of the means of earning a living, would you?—No; we consider that the law as it stands, is very unjust.

9506. Mr. *Cave.*] You object to the law as it stands at present?—Yes.

9507. You are not referring to the law as it would be if this Bill passes, are you?—We are asking, I think, for protection for the ships that we are employed upon, that is to say, the coasting trade and the Baltic trade; of course it is left entirely in the hands of the Committee in what way they will afford us protection.

9508. *Chairman.*] I understood you to say that you were not protected by this custom in the case of the Baltic trade?—No, we are not.

9509. Only in the coasting trade?—Only in the coasting trade.

9510. Mr. *Cave.*] If this Bill passes into a law, how will you be situated; will it not leave you very much as you are?—We shall be in a worse position than we are in now, because the pilots say that they will supersede us at every point.

9511. They have the right to do that at present, have they not?—Yes, they have that right now, but they have not put it into force against us with the colliers

9512. But the Bill would not alter your position, since you are now interlopers from their point of view?—But we should be in the hands of the pilots.

9513. And so you are now, are you not?—Yes, so we are now, and we should be then; but there is not a doubt on my mind, from the active part that I have taken in this matter, that they would supersede me at every point.

9514. The reason why they would supersede you would be that their own employment would fall off, I suppose?—I do not believe that it would make the least difference in that respect.

9515. Then you think that possibly they might supersede you if their own employment were to fall off?—There is sufficient work for those that go by steam; if you go with vessels towed by steam, and confine your living to that, there are always men there to supersede us.

9516. But if the present pilots, when the Bill passes, have as much to do as they can do, how can they supersede you more than they do now?—They have never interfered with the collier screws, but they now say they will interfere with everything.

Mr. *G.T.Hinton.*

24 May 1870.

9517. But how can they do that, if they have as much to do as they can do?—There are always pilots on demand, as Mr. Pattison justly said; there are 70 pilots engaged on the river; they are not always engaged at one time, and should they be fully employed their income would be fabulous; in fact, if such were the case they could retire in two years.

9518. If 200 vessels come up at once, how can 72 men navigate them?—That is the very reason they do not interfere with certain classes of vessels.

9519. And after the Bill passes, when 200 vessels are coming up at once, how can 72 men supersede you?—But there is myself and a few others employed as pilots, and time and science have changed us from sailing into steam, and the whole of our time is occupied in navigating steamers; there is no doubt that the pilots could do it at every point.

9520. You refer only to those pilots who navigate steamers and not to others?—Not to others. The sailing vessels are never interfered with.

9521. When you are on board a ship with a licensed pilot you are both paid, are you not?—Yes.

9522. Then the shipowner has a very much higher pilotage to pay than he would have to pay if the Bill passed?—Not as the Bill is framed; because the licensed pilot will supersede the unlicensed pilot, therefore it places us in the same position.

9523. But still it is a very considerable pilotage that the owner has to pay, because he takes both men on board, is it not?—It is a great expense on the owner.

9524. Does he do it to obtain the protection of the licensed pilot in case of collision?—I think not. I think they merely employ the watermen on account of their skill.

9525. The owner employs a waterman on account of his skill, and he employs the pilot because he cannot help it?—Yes.

9526. Mr. *Gourley.*] I believe that the pilots were not aware until very recently that they could supersede you, the unlicensed men?—No; they were perfectly acquainted with the law; but there are a certain class of vessels which they never touched, and never touch now; but others do, and they have threatened us they will do.

9527. There is no doubt, is there, that the Trinity House ought to license a great many more qualified men, considering that the present number are insufficient for the work?—There is room for that.

9528. Sir *Charles Wingfield.*] You know that the Trinity House will have power to make any rules and regulations under the Bill which they may think necessary?—Yes.

9529. Therefore, the Trinity House would have power to dispense with the rules and regulations of previous service at sea?—Yes.

9530. Do you look with any confidence to the Trinity House making any change in the rules which would be favourable to you?—If they do there are 60 odd candidates, and if they were to make extra pilots from those candidates it would be a lifetime before it came to my turn.

9531. Unless the law imposed some obligation on the Trinity House to admit you to an examination, you have no confidence in the Trinity House doing it of their own accord?—No.

9532. You say that when you are on board a ship with a licensed pilot, you are actually in charge of the vessel; the real explanation of that is, that by taking a licensed pilot on board, the owner gets exempted from liability for damage, does he not?—I never knew of a case in point.

9533. Then, what can be the shipowner's motive for having both of those men on board?—The law places the pilot on board.

9534. But a ship exempt from compulsory pilotage takes a licensed pilot and you too, how is that?—If the pilotage is voluntary, the ship is liable the same with a pilot on board as she is with me. The pilot becomes the servant of the owner, and the owner is responsible for the acts of the pilot in that case.

9535. In fact, the reason they take a licensed pilot as well as you is, that it gives the owner freedom from responsibility for damage, is it not?—No, the law is on the pilot's side, and if a pilot summonses a captain after offering his services and being refused, he says, "I will take you to the police court," and he claims pilotage or double pilotage.

9536. But why does he pay two men?—Because he places confidence in the skill of the watermen.

9537. Or is it that he thinks this, "If I do not take on you and a licensed pilot, then a licensed pilot will be coming on board and superseding you"?—I think not.

9538. *Chairman.*] Is there anything else you wish to bring before the Committee?—No.

Mr. George Duncan, called in; and Examined.

Mr. *G. Duncan.*

9539. *Chairman.*] You are a Shipowner and Underwriter, are you not?—Yes.

9540. What amount of ships do you own?—I own partly and wholly 17 ships.

9541. Are they very large ships?—Yes, some of them are over 1,500 tons.

9542. I believe that you were at sea before you became a shipowner?—Yes, I was captain of a ship for 10 years.

9543. How long have you been a shipowner in London?—Twenty years.

9544. You are also chairman of the London General Shipowners' Society, are you not?—Yes.

9545. Are the principal London shipowners members of that society?—Yes, they are generally the ordinary large and small shipowners in London.

9546. Does that society, in your opinion, fairly represent the shipowners of London?—Yes.

9547. Has that society considered the Bill before this Committee with regard to the abolition of compulsory pilotage?—Yes, they have on two separate days considered and argued it, and they came to the decision that they would support the principle of the Bill, but that some of the clauses they thought would require altering, and I was requested to convey that decision to the Board of Trade.

9548. After due consideration, they thought that compulsory pilotage should cease?—Clearly.

9549. Did they give that opinion specially with regard to the Thames, or generally with regard to the whole of the other ports of the kingdom?—

dom?—The pilotage business is one that they thought would be better if it were entirely free, just as other trades are.

9550. Will you be kind enough to state to the Committee, shortly, your own reasons for coming to that conclusion?—My reason for coming to that conclusion is, that if pilotage was non-compulsory, and was entirely free, then, I think, the men would be on their merits, and very likely a number of the men who are now pilots would give it up, and the men who are efficient pilots would find it possible to do twice or three times as much work as they do now; therefore, I think there would be really after a little time efficient pilots, who would earn considerably more money than they do now; I feel satisfied that if there was competition, and we were not forced to take men in turn, instead of getting a pilot at Dungeness as we do now, we would get him, either at the Isle of Wight or Beachy Head; I feel that necessitating us to take a pilot at Dungeness for those large ships is a very great grievance.

9551. What is the average size of your own vessels?—The average size of my ships is about 1,200 tons.

9552. In what trade are they engaged?—Principally in the Calcutta and Bombay trades.

9553. You do not think, I suppose, that the employment of pilots would fall off if this Bill passed?—No; I never send away a ship without a pilot.

9554. You would not do it in any case?—No; if I send a ship to the North, or to Cardiff, I always send a pilot.

9555. When your ships are sent to the northern ports or to Cardiff they are not bound to take a pilot?—Just so.

9556. But you always direct your captains to take pilots, you say?—Yes.

9557. And you would continue to do so on all voyages?—Yes; in narrow waters I feel it is of great importance that we should have an efficient man to take charge of the vessel when one goes below; as a rule, the chief officer would not be a sufficient pilot.

9558. Do your vessels trade to any port abroad where pilotage is voluntary?—I have been to Charleston, in South Carolina, myself; the first voyage I went they had compulsory pilotage.

9559. It is now voluntary, is it not?—Yes, the pilots are all free.

9560. I want to know if you give instructions to your captains to take pilots whenever they come into narrow waters?—As a rule, I tell them to do so whenever it is for the safety of the ship; I send also a pilot to either the Isle of Wight or to the Bill of Portland for all ships going outwards.

9561. You think that by far the greater number of the shipowners would continue that practice, even if compulsory pilotage was at an end?—Quite so; their knowledge of tides, and many other things, in addition to the safety of the vessel, expedites the voyage of the vessel materially in narrow waters.

9562. Your objection is, that the present system compels you to take a man with regard to whom you have no choice, is it not?—Yes; and that with regard to the London pilotage acts very badly; we never see the pilots and they never see us; they have no interest in us, and we are forced to take them.

9563. Your captains are forced to hand the vessels over to them?—Yes; unfortunately the captain sometimes stands by and sees a pilot do that which he believes wrong, because if he interfered he would make the owner liable.

9564. Whereas if the pilot was merely the servant of the owner, as the captain is, it would be the duty of the captain to interfere to prevent accidents?—Yes.

9565. The present law operates as an inducement to the captain to stand by to prevent any liability being thrown on the owner?—To Calcutta I have made six voyages myself, and I have cautioned the masters not to let a pilot do what he likes coming down the river, but to watch in turning the corners in place of letting the vessels shoot out into the tide. I always told them to exercise their judgment. If you see that a pilot is not doing right call his attention to it; "Do you see that ship?" or "Do you see that buoy?"

9566. But notwithstanding the instructions that you give to your own captains, you know, do you not, that the present state of the law has operated ill?—Very badly indeed. I have had some who have acted in defiance of that order; they told me they were satisfied that the pilot was doing wrong, but they knew that if they interfered they would make me liable.

9567. It has been suggested that instead of making pilotage voluntary, and therefore throwing on the owners the responsibility of the acts of the pilot, we should leave the pilotage compulsory, and still throw the responsibility on the owner; what is your opinion about that?—I think it would be a most unjustifiable act on the part of the Government. The pilots are not all men of equal judgment; God has not made them all alike, however diligent they may be; we have no election; we are very much better outwards, where we have a chance of taking a man who has the ability, as well as the desire, to do the right thing, where we have heavy ships to handle.

9568. You wish to have the same choice inwards that you have outwards?—Yes, and we get it now from Gravesend. I have no reason to find fault with the men who take my ships outwards and the men who bring my ships from Gravesend; I never find fault with them.

9569. But you wish for the same choice inwards from Dungeness?—Yes.

9570. Is it your opinion that if pilotage was voluntary, the pilots would seek all vessels inwards more than they do now?—Yes, they would go down to Beachy Head and the Isle of Wight, looking for ships. I have been frequently supplied with a Deal boatman when I have come into the channel, when the east winds prevail. I have beaten up the channel four or five times, and when I got to the Isle of Wight I have taken a Deal boatman on board; he knew the sets of the tides. There were no channel pilots, and I was very glad to get his services, and very efficient services they were in most instances.

9571. Do your vessels ever take pilots further to the westward than Dungeness; I mean Scilly Islands or Falmouth, or Cork pilots?—No, not as a rule.

9572. You do not take pilots until you come to Dungeness?—No, we do not.

9573. You have said that within your experience compulsory pilotage had been abolished at Charleston, and free pilotage established; what

Mr. *G. Duncan*

24 May 1870.

has been the result of that?—The result has been most satisfactory; that is within my knowledge. Charleston has a harbour with a narrow opening, and when pilotage was compulsory, the pilots remained in the roads, they never came outside the bar; but whe nthe vessels were close to the bar they went outside.

9574. They never troubled themselves about it, because they knew that the vessels were forced to take them?—Yes; it is a very awkward place outside there in the warm water of the Gulf Stream, and in very foggy weather I have been beating about there for two days. There were no pilots out at all the first voyage I made there, but on the second voyage they used to come 50 or 60 miles out; one or two of the best schooners trying which should put the first pilot on board.

9575. The change gave a great inducement to the pilots to seek vessels, you think?—Yes; and I believe that it would have the same effect at Dungeness and elsewhere; a pilot could get back to the Isle of Wight by railway just about as soon as he would to Deal, and he would be back to his ground again as soon.

9576. In order to throw the responsibility on the owner for the acts of the pilot, it is necessary, in your opinion, to make pilotage voluntary, is it not?—I feel that in equity it would be very hard to force a man on board, and then make me answerable for his actions.

9577. Was that subject discussed at the meeting of your society?—Yes; it was fully discussed.

9578. And was that the general opinion of the members of your society?—Yes; we felt that that very often operated first on one side and then on the other side; the party who did you damage was defended by saying, "I had a duly licensed pilot on board." In some cases there was greater security, but still the other party was very much aggrieved.

9579. In fact, it was acknowledged that great evil resulted from the present state of the law?—Yes; it was considered very unfair legislation, and the way in which the judges have dealt with it makes it most uncertain, because the judges regularly endeavour to put the blame on the ship, feeling that that is the place where it ought to be; if it can be proved that the ship's crew has contributed in any way towards the accident the judge holds the owner liable.

9580. Or if there is a bad look-out, I suppose?—Yes, if anything was not reported. I had a case a little time ago which is a good example of how the pilotage system operates at present. A vessel came home from New York, and anchored a little above the North Foreland, and another vessel anchored a little astern of her. We had a licensed pilot on board. The tide turned round at three o'clock one morning, and the ship swung round; perhaps her chain had got over the flue of her anchor. There came a squall; the ship started and drifted some distance, and the pilot did not order them to let go the second anchor, and she came down on the other ship. That looked as if it was a case where we had a duly licensed pilot on board, and therefore that the liability lay on him; but in looking at it myself, I felt that if my people were not able to give a good account of having seen that vessel, and when she came there, the judge would have said, "You should have kept a good look out." Therefore I thought it best to pay the other ship's damage; but there was a steam-tug in the case which made it a case of great complication. This other vessel slipped her chain and went astern, and so cleared the other two vessels, and she lost one anchor and 40 fathoms of chain. She had two anchors still on board, with 140 fathoms of chain. The steamboat came and offered to take my ship, which was 400 tons, to London; my captain offered 20*l.*, which the steam-tug would not accept. The steam-tug went over to the other ship, and he offered the same, and they would not agree to it; but the pilot suggested to him, "Why should you trouble about making a bargain with the steamer, because the owner of the ship which did the damage will have to pay for it? Let them settle it in London." The master did so; and I had to settle with the steam-tug also. I said to the master, "Why did you not make a bargain?" He said "The pilot told me that you would have to pay for it, and that it was of no use troubling myself about it." The steamboat made a claim for 500*l.* for doing 20*l.* worth of work, and that no doubt through the suggestion of the pilot.

9581. Was it the opinion of your society that the present state of the law acts with great uncertainty and great unfairness?—Yes, they were clearly of that opinion.

9582. And that it ought to be altered by making the employment of pilots voluntary instead of compulsory?—Yes; they thought it would be a great boon to the shipowner, and, in the main, that it would be better for the pilots.

9583. It has been stated before this Committee that if the employment of pilots was voluntary, their employment would fall off, and that there would not be a sufficient supply of competent pilots; is that your opinion?—No, there is no fear of that, I think; it is a much better paying business and much less laborious than it used to be.

9584. Is that in consequence of the introduction of steam?—Yes; formerly, when a man took charge of a heavy ship drawing 23 feet of water, he might have to wait over the stream, whereas now it is very much quicker and more certain; if they have a beating wind, they never navigate the ship with sails, but in almost every case when a pilot cannot lay his course, a steamer is employed, and the service does not take up more than a quarter of the time.

9585. So that the Thames pilots can get through more work than they used to do?—Yes, they get through more work than they used to do.

9586. It has been suggested to this Committee that the employment of tugs would relieve the shipowner from the necessity of taking pilots; is that your opinion?—I do not think it would in the main; with a certain class of the smallish vessels it might do so; but, speaking for myself, I should never let my captain bring home a large ship without a pilot.

9587. Even with a tug?—Just so. They require a man who is conversant with the width and depth of places in the river; they get up to a certain place, and they are forced to anchor for the night; the channel is not wide, and one of those large ships with 50 or 60 fathoms of chain would drift ashore, unless they had a tolerably wide place to anchor in. Very often those pilots go on board, and do not speak twice until they get to Gravesend.

9588. But

9588. But when it does occur it is for the pilot to say when the vessel is to stop?—Yes.

9589. If it is a narrow channel it would be a question of what length of cable is to be run out?—Yes, and there sometimes comes a gale of wind in the course of the night.

9590. You think it still would be necessary for large ships to take pilots as well as tugs?—Yes.

9591. That you say from your own experience?—That is my experience.

9592. Have you any experience of the northern channel of the Thames where the pilotage to a great extent is voluntary?—Yes, I have navigated ships from the Baltic, and they are not bound to carry a pilot.

9593. Do you instruct your captains to take pilots notwithstanding?—I have none of those vessels; they belong to other parties, and are coming to my consignment.

9594. Are pilots taken in those cases?—They are, as a rule, licensed watermen.

9595. Do they take pilots at the north channel?—They obtain pilots in the Swin channel, below the Nore. There could be no better proof of the way in which non-compulsory pilotage operates than there. Many of those watermen are the most efficient pilots on the river. They have to handle sailing vessels through very narrow places, and they have much experience; there are some notable exceptions among the licensed pilots, but among the unlicensed men there are a number of the cleverest men in the world.

9596. Is there any difficulty in finding competent men of that class?—None at all.

9597. Those men generally work by character or testimonials, do they not?—Yes, they have got a certificate, and they do not, as a rule, go to ask for any ships unless they have a connection, and unless they show certificates from owners or captains, which have upon the face of them: "This man did my work well."

9598. Their certificate is, in fact, their employment?—Yes, their certificate is practically their employment.

9599. Not that they have passed an examination by a particular board?—Just so.

9600. In your opinion, I presume the passing of this Bill would not be really prejudicial to the pilots as a body?—I think not.

9601. Though perhaps it may tell upon some individuals?—I have no doubt it would tell on some individuals. There are some old men, 80 years of age, at Deal who are pilots. I have had a man on board who was upwards of 80 years of age.

9602. Who was forced on board, I suppose?—Yes; and he was quite unfit to have charge of the ship on a dirty night; he would have to retire under the fresh circumstances, and men, however good they were, if incapacitated to do the work efficiently, would have to seek employment elsewhere; but good pilots would earn more money than they do now.

9603. Mr. *Graves.*] Do those watermen whom you have referred to undergo any examination?—I think not.

9604. Do you yourself employ those men?—Yes.

9605. Do you take them in preference to the licensed pilots?—I would take some of them quite as soon as I would a licensed pilot.

9606. They charge a great deal less, do they not?—They charge a great deal less.

9607. Is it not the reduced charge that induces you to take those watermen?—In certain instances it is the charge.

9608. You led the Committee to believe that you, as a shipowner, place more reliance upon the certificate of the captain than you do on a licensed qualification; do you carry that view so far as to say that you would require no examination for a pilot on the Thames?—No, I do not; I would, as far as possible, give those men licenses.

9609. By examination?—By examination; they are perfectly capable of passing an examination; it is the rules and regulations through which the license is obtained that shut these men out.

9610. But still for any pilot service on the Thames, you think that an examination is an essential qualification?—No, I do not think it an essential qualification.

9611. But do you think it would be wise to allow anyone to pilot on the Thames without having passed some kind of examination?—I have no hesitation in saying it would be preferable if the examination was put in such a way that every man of good character, and who could show that he was possessed of the qualifications necessary, if it was sufficiently open in that direction, I think an examination would be desirable.

9612. When you speak of throwing the trade open as any other trade is, do you mean that you would let any man who liked pilot vessels up and down the Thames?—Yes, most certainly; I see no difference between a man qualifying himself to be a master or a mate or a second mate, and being qualified as a pilot.

9613. You would leave it to the shipowner to be the judge of the man who was most suitable to do the work?—Yes, certainly, and as far as he is able he does so now.

9614. You do not think that an examination and a license is any security, if I rightly understand your evidence?—Yes, I do.

9615. I thought you were under the impression that an examination would not be required?—No; I said that most of those watermen, when wanting employment, and were able to show a number of certificates from persons for whom they had done their work well previously, had no difficulty in getting employment.

9616. Putting the watermen out of your mind altogether, do you consider that a man to pilot vessels on the Thames should pass some kind of examination, or would you leave it so that any man who took up the employment of a pilot would have a right to act as pilot if he could get people to employ him?—I would consider that so far, that I would put no penalty on the men who employed him, or the men who took service in that direction.

9617. I must repeat my question, whether you, as representing the shipowners of London, consider that a man, to act as a pilot, ought to have undergone some examination to show that he was qualified to act as a pilot?—Yes, that is the primary rule which we would go for, but certainly not under such stringent regulations as to the qualifications to be examined as at the present time. I wish to put that in the strongest light. I wish to convey to the Committee that the shipowners felt that though a man, however efficient and qualified as a pilot, had not been to sea, or had not any qualification outside of that which was necessary for him; then if he offered himself for examination, nothing of that

Mr. *G. Duncan.*

24 May 1870.

Mr. *G. Duncan.*

24 May 1870.

kind should preclude him from being examined.

9618. Do you carry your views of the freedom of the pilot service so far as to say that every man who offered himself for examination should be examined and licensed, if he proved himself qualified?—Yes.

9619. With no limitation whatever?—None whatever, if he was a man with a good character, and he could show that he had the qualifications necessary.

9620. How far would you go in the way of that perfect freedom of the pilot; would you allow him to charge his own rates according to an agreement with the shipowner?—Yes, I should not object to that at all, nor should I object to a fixed rate; I am quite willing for it to be either way.

9621. Are you largely influenced to that opinion by the belief that if pilots were allowed more to act on their own energies and their own intelligence, they would be more prompt and active?—They would be of much more efficient service to the shipowner; if I had the power of fixing the man who was on board the "Polly," who gave the steamboat such an opportunity of getting a good pull out of me or the underwriters, I should take care and say to my captain, "When that man comes and offers his services, you shall not take him;" and that system would cure that unfortunate position which they take.

9622. You would have perfect freedom on the part of the owner to take a pilot, and perfect freedom on the part of the pilot to offer his services to whom he liked?—Yes.

9623. If there were two vessels running up the north channel, one of 1,500 tons, and the other of 300 tons, you would leave it free to the pilot to go to the one of 1,500 tons?—Yes.

9624. Though the other vessel might be the first in turn?—Yes.

9625. You are, in brief, for perfect free trade in pilotage?—Yes; and I think that would be the best system.

9626. Is that the view, generally, of the Shipowners' Society of London?—There were one or two members a week ago who were not there at the former meetings, and I think one had been waited upon twice by pilots, and his view has been somewhat altered; but when we discussed it at two meetings there was not a dissentient voice.

9627. You wish to impress that principle upon the Committee as the view of the shipowners of London?—Yes.

9628. Have you read the Bill now before the Committee?—Yes.

9629. Are you aware that this Bill proposes no such principle?—I am not answerable for what the Bill proposes.

9630. Are you aware that the Bill proposes really to make no change in the present system, except that it leaves it optional to take a pilot or not?—My instructions from the Committee were to convey to the Board of Trade that those clauses, 5 and 6, which refer to no additional pilots being licensed, would be most injurious clauses as they stand. We agreed with the principle of the Bill, but we felt that those clauses ought to be amended in the direction that the pilotage should be free.

9631. But you have told the Committee that you are an advocate of perfect free trade in pilotage, have you not?—Yes.

9632. You must be aware that the principle of this Bill is entirely different from perfect free trade in the light in which you look at it; are you aware that the local authorities have had power to make the free pilotage which this Bill proposes to give?—They have never exercised that power, at all events.

9633. This Bill, as I read it, proposes to leave the whole system of the pilotage service of the Thames exactly as it is, at least, it does not seek to alter it; but it makes this change, that it is optional on the shipowner to take a pilot or not; now that is a different principle from that which your committee has discussed, therefore I ask which principle is it that you advocate?—The primary principle of the Bill; that is to say, doing away with compulsory pilotage, and that clauses should be introduced afterwards where clauses were necessary. We do not approve of all the clauses, and we are in great hopes that this Committee will require something more than that; we hold that we ought to have some voice in the appointment of those pilots. I am bold enough to say that we are in hopes that the shipowners and others will not be left in the position in which they are in now, and be compelled to take men, in the licensing of whom they have no voice at all; and when those men do what is wrong, and we think that we are aggrieved by them, we have no power or influence, except through the two boards, to deal with them.

9634. *Chairman.*] Still the first step in that direction is the abolition of compulsory pilotage, is it not?—Just so.

9635. Mr. *Graves.*] Do you consider that, speaking as a shipowner, it would be a fair law to leave all the obligations as they now exist upon the pilot, to be on the stations at all times and at all hours, and in all weathers, and leave it entirely a matter of option on the part of the shipowner to take a pilot or not; do you advocate that view?—Yes, I do; I feel that he is just as safe in his occupation as a miller is; he is employed in a trade which is a necessity; wherever there is a demand, there would be a supply.

9636. Is that your idea of free trade?—I will not enter into that question.

9637. Now you have said that you wish compulsory pilotage to be abolished; has the liability of the shipowner anything to do with your view of the question?—None at all with my view of the question.

9638. Why did the shipowners' committee arrive at the conclusion to abolish compulsory pilotage?—We have very serious grievances; I could give you three cases within the last two years, of my own ships with valuable cargoes on board, one worth 170,000 *l.*, that was nearly lost because I could not get a pilot, and that for the reason that it was compulsory; my master was tempted to come up to Dungeness in a heavy gale of wind, thinking that he was sure to get a pilot; the pilot was up in the corner as far away as possible; he sailed up close to the vessel and stood out again, and kept the ship lying-to until it was nearly dark; a Dutch pilot boat had been sailing around him, and could have put a dozen pilots on board; when the night came on with a bank under his lee, he had to make up his mind to do something; he had to go round outside the Goodwin, and haul the ship on a wind, and reach up as far as he could, and let go his anchors, with 80 or 90 fathoms of chain.

9639. What would have been the result in your opinion, if you had a free system of pilotage?—

age?—I am satisfied that the man would have got a pilot in that case 30 miles further down.

9640. But it is not proposed to alter the cutter stations at Dungeness at all, but to leave them exactly as they are?—We hope that when you are dealing with compulsory pilotage, witnesses will give you such information that you may go further.

9641. Sir *Henry Selwin-Ibbetson.*] That is to say, you hope this Bill will lead to a better Bill?—Yes, I thought that the clauses would be amended.

9642. *Chairman.*] You think that we should go further?—Yes.

9643. But you would rather have this than nothing at all, would you not?—Yes.

9644. Mr. *Graves.*] Do you think that in every part of the world, pilotage should be of that free character that you speak of?—Yes.

9645. In Calcutta, for instance?—Yes; it is nearly so.

9646. And in the Mersey?—Yes.

9647. Where would the capital come from for keeping up those pilot cutters, which, according to your view, would go down to the Eddystone?—It would come from where the capital comes from for fishing for oysters and things of that kind; at Brightlingsea there are 150 pilot boats, and they are beautiful craft.

9648. But there is this difference between pilots and oysters, it is not optional with the oysters, though it is with the shipowner?—And it is not optional for ships to lay out in the Atlantic either, they must come into port.

9649. You have said that you consider it a great evil to have no choice of pilots?—Yes.

9650. That only refers to below Gravesend, I suppose?—Just so.

9651. Above Gravesend you have perfect choice of pilots, have you not?—Yes.

9652. You wish to preserve the Gravesend station, and that system of choice above Gravesend?—I should be glad that the pilot who brings a ship from the sea should bring her to the dock, if necessary. There is no reason for putting the pilot on shore at Gravesend.

9653. Is it not the fact that nearly all the shipowners have a choice of pilots at Gravesend?—Yes.

9654. Are there not men who regularly bring down Mr. Green's vessels?—Yes. I have one man who takes all my ships.

9655. Outwards, you have no grievance?—None at all.

9656. It is only inwards?—Just so.

9657. In a dark winter night, running up to Dungeness, how are you to ask for John Smith or James Brown, and wait 48 hours for him?—If he had served me ill before, I would tell my master not to take John Smith or James Brown.

9658. Would you instruct your captain to wait there, under all circumstances, for your own pilot to take the ship?—No. But if I knew the name of that man who was on board the "Polly," I would give my master instructions not to take him under any circumstances, and wait until he got another man, and I will guarantee that he would not do it again.

9659. That is one man out of 150; but is selection possible, under ordinary circumstances, coming inward into the Thames?—There is a certain amount of selection quite possible.

9660. But, in the broad sense of the term, do you mean to say, as a practical seaman, that selection is possible, under ordinary circumstances coming into the mouth of the Thames in heavy weather?—In many cases it would be quite as possible as it is outwards. It is true that I cannot always get the man I want, but in the main I should get the pilots I wanted. I should have no wish to exclude any. A large portion of the pilots are very effective men; but the fact that I had the power of excluding them would make them more careful.

9661. Are the Committee to understand that you see no difference between selection inwards and selection outwards?—There is no doubt a material difference; but the power of selection would have a corrective influence upon them. This is not an isolated case; it is notorious that when we have to obtain help from the cutters, or to get an anchor brought on board, or otherwise, that very likely the pilot is on the side of the person who is coming to give his service; and that because he has no interest in us we never see him, and we can neither appoint nor displace him.

9662. The greater portion of your objection to the principle of compulsory pilotage arises from the fact that those pilots are forced upon you against your will, is that so?—I imagine that is the only ground on which I could object.

9663. Suppose the law was so altered as to require all owners to pay pilotage, and leave it to the owner to take over a pilot or not, would not that get over the difficulty?—That would be most unjust; the shipowners have a very hard battle to fight now, and I cannot understand why the pilots should be justified in putting themselves as a burden on any other class. I cannot see if their services are not required why the shipowner should be forced to take them.

9664. Still you would consider it just to the pilot that he should be required to be there at all times, whether you take him or not?—It is quite fair that a doctor should go to the expense and trouble of getting his peculiar education, and that he should be ready to come to me when I want him; but it would not be fair that I should be compelled to take a doctor whether I wanted him or not.

9665. Did you call the association which you represent together in order to express any views on this Bill; the society, and not the committee?—No, the committee.

9666. The society have never been called together to express their views with regard to this matter?—No. As a rule there are 33 members, and the committee are the society; but, except in a very extraordinary case, we never have a public meeting.

9667. But still what you say to-day represents the views of the committee, I suppose?—Yes.

9668. You have said something about some one making some objections; was it a unanimous resolution that was passed?—Yes, it was; nobody took any objection, and I suppose that would be considered a unanimous resolution. Two gentlemen who were there last week said that they did not approve of it; one of them said that he had been waited upon by two deputations of pilots, which had influenced his mind. Mr. George Marshall was there; he gave evidence before, and he held his old views, and we had a gentleman from Hull who, I believe, had been examined, and he objected; but the body of the committee were of the same mind as they were before.

Mr. *G. Duncan.* 24 May 1870.

9669. Was that resolution agreed to by more than one-half of your committee?—It was agreed to when there were 13 members present.

9670. How many members are there on your Committee?—Thirty-three, but as a rule we seldom have more than 16 present; it was a full meeting.

9671. You have made some remarks about the constitution of the local authority; are you dissatisfied with it?—I am not prepared to say that we are not satisfied with the local authority, in the direction of finding fault with the local authority, because we know nothing about them, that is to say, they conduct their affairs without our having any voice, or any knowledge, or any information, in any way.

9672. Do you consider that the present system of pilotage on the Thames an efficient or an inefficient one?—It works just as badly as it possibly could do.

9673. Do you consider that the local authority is in any respect responsible for that inefficiency?—If the shipowner had to deal direct with the pilot, I believe, it would be very much better.

9674. In your opinion should a change be made in the local authority?—I think so.

9675. In what direction do you think that that change should be made?—I think that the parties who employ pilots should have some voice in the management of their affairs in appointing them, and dealing with them, when they do that which we believe to be wrong.

9676. You consider that there should be more of a representative character in the pilotage authority?—Yes, there is a double authority which operates very badly, that is to say, the pilot vessels are in charge of parties appointed by the Trinity Board, and when we make a complaint to the pilot why he did not come on board our ships, he says, "The master of the cutter would not put me on board," and when we complain to the Trinity House they say the pilot would not go.

9677. Have you ever made any representation to Parliament, or the Board of Trade, on the subject?—No. I once thought I would, but I was sufficiently loyal not to step over the Trinity House. I sent in two representations.

9678. Suppose you had a representative board to attend to the commerce on the Thames, would you see any great evil in leaving that Board to adopt what system of pilotage it pleased in its own waters; that is to say, suppose it was composed of the trade and commerce of the Thames, do you not think it might decide what was the best system of pilotage on the Thames?—I would leave everything to their management and control, except the question whether the pilotage should be compulsory or not.

9679. That you would like settled?—That I would like settled.

9680. Your view is, that compulsory pilotage should be entirely abolished?—Yes.

9681. Are you aware that in waters where it is usual to take pilots, a shipowner sending a ship to sea, without a pilot, renders her unseaworthy?—I think not.

9682. If you thought that was the law, would it alter your view?—I am an underwriter; if I was told that a ship that was lost had no pilot on board, and if I was satisfied with the conduct of the vessel, or that the master had sufficient knowledge of his business, I should not feel that any injustice was done me.

9683. Are you aware that the Merchant Shipping Code proposes to make it a misdemeanour if a shipowner sends a ship to sea in an unseaworthy state?—I should not be disposed to put burdens on the shipowners without considering how they can bear them.

9684. You do not like burdens, I suppose?—We do not like burdens laid upon us by gentlemen who do not understand their bearing; we are willing to bear all legitimate burdens, but not burdens that must produce evil results.

9685. But suppose the law was such that a ship was considered unseaworthy if she went to sea without a pilot in such weather as it was usual to take a pilot, would you regard it as right that the obligation to take a pilot should be done away with?—In that case it could not be, because there would be another law applying in that case.

9686. You have instanced the north channel as an illustration of the advantage of a voluntary system of pilotage; are you at all aware of the number of vessels that come in through the north channel?—I should say that there are many thousands in the course of the year; I think that I have passed 500 vessels in a tide.

9687. Are you aware that the proportion of vessels that take pilots is very much smaller in the north channel than in the south?—I am aware of that, and there is a good reason for it; there are a large number of men who are reckoned as most efficient pilots in the north channel in the coal trade; they have beaten over the Swin, and every part of it for nearly 20 years.

9688. Do you consider it an advantage or a disadvantage that pilots should be allowed to own on shore in steam-tugs?—If we do away with the compulsory pilotage, it would be most unfair to interfere with the men earning their livelihood in the best way they could.

9689. You do not approve of this compulsion?—Certainly not.

9690. Mr. *Stevenson.*] To what should you say the large employment of unlicensed pilots is due?—To the fact that they work the vessels efficiently and reasonably.

9691. Do you ever employ North Sea pilots in taking vessels between the Tyne and the Downs?—Yes, I have a man who goes with my ships from the North regularly, and he is as efficient a pilot as any man that I know; he took a 1,500 ton ship down to Portland, and he came from Sunderland with a new ship, and took her down to Plymouth.

9692. What did you pay him for his services?—£. 12, I think.

9693. What would be the regular charge by a Trinity House pilot for taking a vessel from Orfordness to Gravesend; first, however, let me ask of what draught of water was that vessel?—Twenty feet nine inches; I could not have sent my branch pilot with that vessel without paying him 50 *l.*

9694. Whereas, the North Sea pilot, who knows the way perfectly well, did it for 12 *l.*?—Yes; I may further state that that man goes with small vessels regularly to Cardiff, and I have just as much confidence in him as I have in any of the other men.

9695. Mr. *Brassey.*] There is a considerable difference in the pilotage rates as between sailing vessels and steamers now, is there not?—No, if a ship is towed, it is the same; a sailing vessel, if towed, pays the same pilotage as a steamer.

9696. But

9696. But as between steamers and sailing vessels, there is a reduction, is there not?—Yes, there is a reduction.

9697. But the reduction is not in proportion to the diminished time and labour spent on the work?—Certainly not.

9698. You are very anxious that the shipowner should be represented in the pilotage authority, are you not?—Yes.

9699. Do you see any difficulty in arranging that that representation should take place at the present Board of the Trinity House?—I see no reason against it.

9700. It might be reconstituted, and be a representative board?—Yes, it might be reconstituted, and I have very little doubt that the thing would be very much better managed by having other parties there, as we have a representation at the local board now; we have parties there, and I imagine that arrangements could be made that according to the tonnage of the shipowner he should have a certain number of votes; the Board would be appointed in a measure by those who owned property, and who gave employment to the men.

9701. Mr. *Hardy.*] Do you ever, when compelled to take a licensed pilot, take a waterman in addition, in consequence of your want of trust in the licensed pilot?—We do, to assist.

9702. In that case, does the pilot go as master?—No, the pilot has charge of the ship, and the waterman has more duties than one, and then the master takes both with him, in case it should be wanted to run out a rope, and as he has knowledge of the river as well as the pilot he very often takes the helm.

9703. But you do not let him take charge of the ship?—Certainly not.

9704. Mr. *Grieve.*] How is the Shipowners' Association committee elected; is it from the general body of shipowners?—Yes.

9705. Is there any qualification?—No, they are proposed in the ordinary way.

9706. Are the 33 members on the shipowners' committee the leading shipowners of London?—I think they are.

9707. Do you know Mr. John Taylor, who gave evidence before this Committee; he does not consider that your committee would be a fair representation of the shipowners of London; do you concur in that opinion?—No, not at all. I suppose it is Mr. Taylor of the firm of Mackay and Company.

9708. Do you consider him a fair representation of the shipping interest of London?—No, I should think not; he has not been very long here.

9709. He managed a tug company in Liverpool before he came to London, I believe?—Yes, I believe so. Practically, I should not consider that he was a shipowner; he may hold shares in vessels, but with regard to managing and having knowledge of shipping (and without saying anything to the disparagement of Mr. Taylor's other qualifications), I should not consider he was a representative of the shipowners in any case.

9710. Your committee is quite as well fitted to speak here as Mr. Taylor, I suppose?—I should consider a great deal more so, both by the stake they hold and by the experience they possess.

9711. You have said that you have never allowed your master to give up the entire command of your ship under any circumstances, no matter what the liability?—No, I tell them to keep their eyes about them to see to the pilot's steering, and if they see another vessel coming down, his duty is to say, "Do you see that ship?"

9712. You have been up and down the Hooghly frequently, I suppose?—Yes.

9713. It is not unusual for a pilot to run a ship ashore there, is it?—They are very efficient and clever pilots, but they get somewhat careless in coming round the corners.

9714. Is that one reason why you are very scrupulous in having your master in charge when the pilot is on board?—I have seen cases where a little foresight would save the ship from going ashore, when in the other case she would have made a shoot, and before the anchor could be let go she would be ashore on the other side.

9715. Sir *Charles Wingfield.*] The system in Calcutta was changed about 15 years ago; what was called the Calcutta pilot service, or the close service, was thrown open?—Yes.

9716. And now the result is, that as many men offer themselves as are competent to pass an examination?—Yes; they allow those men to work on their own account, the Government getting a proportion of their earnings.

9717. But there is no restriction with regard to the number?—None whatever.

9718. Were you in the room when Mr. Hinton, a free waterman, gave his evidence?—Yes.

9719. Do you think his apprehensions are well founded, that in consequence of the part he has taken in this matter the licensed pilots will chase him off all the ships in the river?—That is very likely. I have no hesitation in saying that we used to be very much annoyed by them at one time; they are now better behaved; they would offer their services on board vessels that were going to the North, and when they were refused they would go on shore; and they went to the magistrates and sent a summons down to the North after the vessel, and that repeatedly, and acting most vindictively; that was a thing that was most annoying. They do not do it, as a rule, now; because, as a rule, they are better behaved, and there is a better understanding between the licensed and the unlicensed pilots.

9720. But, in consequence of the unlicensed men, Mr. Hinton and other men, who are the leading men among them, having taken a strong part in representing their case before this Committee, do you think that they will have to undergo persecution?—There is something in human nature that would indicate that that would be the case, unless some provision is taken against it.

9721. You would carry out the same principle as prevails in the Hooghly, that as many men as could prove their competency on examination should receive a certificate?—Yes; the number would be regulated by the demand.

9722. The attempt of the Trinity House to regulate the number has been ineffectual, you believe?—Yes.

9723. They have licensed 74 men, whereas it is notorious that it would require three times 74 men to do the work on the Thames?—Just so.

9724. If it is left to the Trinity House to frame any regulations they please with regard to the pilotage of the Thames, do you think there is any reason to suppose they will alter their policy?—I do not know what the pressure from without may induce them to do; but, judging from past experience, we have no reason to believe that they will alter their mode of operation. I think certainly the present arrangement is most injurious.

Mr. *G. Duncan.*

24 May 1870.

One man says, "It is not me, it was the captain of the ship," and when you go to the Trinity House you are told that it was because the pilot would not go with the boat.

9725. With regard to the Thames above Gravesend, do you think it is at all necessary that a man should have served at sea to make himself acquainted with that part of the river?—Not at all.

9726. *Chairman.*] Have you any experience of other ports than London?—The first time I commanded a ship I used to go to Dundee and to the Baltic. The Tay is difficult of navigation.

9727. Do you know Hull and Liverpool?—I know Liverpool; I have gone two or three voyages there myself.

9728. Is there any reason why Liverpool should be exempt from any rule laid down with regard to the Thames and other ports?—I see no necessity for it, although I am bound to bear testimony that the management of pilots there is very much better than it is in the Thames. The stations are well out to the westward, so you get a pilot sufficiently far out to give you room to lay to.

9729. But you see no reason to exempt them from the rule that the employment of pilots should be voluntary, do you?—No; the shipowners would be better supplied, and the pilots would become better men; one would compete with his neighbour and would not have to wait for his turn; competition would induce them to come out and offer their services.

9730. The Shipowners' Society find fault with two of the clauses, but notwithstanding that they adopt the general principle that pilotage is to be voluntary instead of compulsory, do they not?—Yes; but they are in hopes that those clauses will be amended.

9731. Have the Shipowners' Society considered the difficulty of dealing with the question, supposing that everything was made free?—They have, and they think it very possible that you might draw on the general exchequer.

9732. That is a question of compensation that raises some difficulty, is it not?—No doubt it does, although there are many privileges of the same kind that have been done away with by Act of Parliament, where parties did not obtain compensation; still they feel that with regard to those men who have qualified themselves for this occupation, and are somewhat advanced in life, it would be a fair and just thing to consider them in an alteration which may be made for the general good.

9733. I think what they objected to mainly was the restriction in the number?—Yes; it would destroy all the benefit to us.

9734. But that restriction in number is only up to such a time as would enable the Board of Trade, or the Treasury, to determine what number of persons should retire from the list of pilots?—Yes; but the almost certain consequence of that would be, that the pilots who are there would not earn the money which they might do.

9735. But the Board of Trade would not give them compensation unless they could prove that they had exerted themselves during that interval, would they?—It would be very difficult to prove that. To keep a strict watch over them would be very difficult to carry out.

9736. But it would be so provided, that all are to be compensated, after that time; but inasmuch as only a certain number are to be withdrawn from the list, and these are not to get full superannuation equal to their present income, there would still be inducement with the greater number of the men to seek employment?—The Committee thought that if you took the responsibility of compensation, the thing being entirely thrown open, I daresay all the men would not; but if you judge of the earnings of the one by the earnings of the others who had exerted themselves, we do not see how you would be able to do that without having the thing thrown open; I have spoken to some of those men; they have come and seen me, and tried to change my opinion, but I have not changed my opinion. I should state that in my judgment those that were active men would earn much more; I do not mean men each earning 500 *l.* a year, but allowing compensation to be made to those who had really exerted themselves; then we think the compensation would not be much.

9737-8. Then what was the principle of compensation that was advocated in your committee?—We did not form any plan; but we supposed that it should be in proportion to what the men could earn before; if it could be shown that after trying their very best to return to the service again, it was shown that they earned very much less, we think that they should have one-fourth, or something of that kind.

9739. That is the principle of the Bill, is it not?—Yes, we approve partly of the principle of the Bill.

9740. But that question of limitation in the number in the interval you object to?—Yes.

9741. But you understand, do you not, that it is only to apply during such time as compensation is made, and after that the pilotage authority would be free to license any number that they think fit?—No, we did not quite understand that.

9742. But that limitation of number is only to apply to the time when the claim for compensation is made, and after that claim has been entertained, and a certain number of men have been superannuated, the local authorities would have the same power as they now have of licensing any number of men, and they might, if they think fit, throw it open to anybody; did you understand that?—No, we did not take it in that light. I now see that the Bill would carry that, but in the Bill it is stated, that on and after a certain day, no further pilots should be licensed.

9743. You think that the explanation which I have given, somewhat modifies your opinion with regard to the effect of those clauses?—No, I still think that they would operate badly; I do not think that we shall get a good and efficient pilotage service, conducted in a way that would be satisfactory to both parties, until it is made entirely free.

9744. But you recognise this Bill as, at all events, a long step in that direction, do you not?—Yes.

9745. Mr. *Graves.*] Are you aware that the shipowners of Liverpool take an entirely different view of it from your view?—Yes.

9746-7. Are you aware that at New York, where they have got a system of going out hundreds of miles from the shore, the system is entirely compulsory?—That I am not aware of; I know that at Charleston it was not so when I was there, and that they did not go out when it was compulsory.

Mr. Robert Macfaran, called in; and Examined.

Mr. *R. Macfaran.*

24 May 1870.

9748. Mr. *Graves.*] You are a Shipowner at Belfast?—Yes.

9749. You are interested both in the foreign and the coasting trade, I believe?—Yes.

9750. Who controls the pilots at Belfast?—The Harbour Commissioners.

9751. How are they appointed?—They are appointed by the ratepayers.

9752. Do you consider that the harbour commissioners represent the trade and commerce of the port of Belfast?—No, the owners of shipping.

9753. Are you in favour of the Bill now before this Committee?—No, I am against the Bill.

9754. You prefer that the system of pilotage should remain as it is, compulsory?—I do.

9755. Will you be kind enough to give to the Committee your grounds for that opinion?—On account of our crooked river, and the number of vessels coming up in one tide, perhaps there are as many as 20 or 30 coming up in one tide; if a stranger vessel was coming up without a pilot that stranger captain might put that vessel on the ground, and the tide might hang her across the river, and the next vessel in coming up trying to pass her might get aground too, or else do damage; and others coming up might do damage to one another.

9756. Do you know instances in which such confusion has occurred in your river?—Yes, often; this last winter there were two blocks.

9757. Were any damages done to the vessels?—Yes, a great deal.

9758. In what way was that damage caused?—By one vessel rolling against the other.

9759. What is the breadth of your river?—Two hundred feet, about 65 yards.

9760. Is that at high water?—Yes.

9761. What is it at low water?—One hundred and thirty feet.

9762. What length is your river?—It is about three miles long.

9763. I suppose the Lough of Belfast is a perfectly easy one to run into?—Yes, it is perfectly easy to run into.

9764. For that place you require no pilot, I suppose?—None whatever.

9765. What is the limit of the pilot system of Belfast?—It is about 10 miles from the harbour, that is to say, from Gray Point to Carrickfergus.

9766. I suppose the only point in which you consider it necessary to preserve compulsory pilotage is in the river itself?—Yes.

9767. Is that because you conceive it would be difficult to preserve the navigation free from injury if vessels were allowed to go up and down without a pilot?—Yes.

9768. Have you suffered much injury yourself in your vessels going up and down?—Yes, I have suffered a little at different times.

9769. It is where the traffic is crowded and the river tortuous that you would desire to preserve the compulsory system of navigation?—Yes.

9770. The preservation of life does not enter into the question?—No, there would be no danger to life.

9771. Is your view that generally taken by the shipowners of Belfast on this question?—The most part of them take the same view as myself, but, of course, there are some of them who differ from me.

9772. Are you afraid that the owners would not take pilots if the system was made partly voluntary?—I am sure that numbers would not take pilots under the voluntary system.

9773. So that the river being rendered more dangerous in its navigation, a good many of the present pilots would cease to find the same employment, would they not?—I think that all the young men would cease as pilots.

9774. And the old men would remain on?—Yes, the old men would remain on.

9775. Is it your opinion that the efficient pilot service of Belfast would not be maintained under a voluntary system of pilotage?—Yes.

9776. And that the number of pilots would diminish?—Yes, they would diminish very much; we have only 20 or 21 pilots altogether.

9777. Take a vessel of 100 tons, what would be the rate of pilotage for that vessel in your river?—About 12*s.* 6*d.*

9778. The rate of pilotage being so moderate is not considered at all a tax on the shipping, I suppose?—No.

9779. Do many steamers come up and down?—A great many.

9780. And, of course, that adds considerably to the difficulties of navigation?—Yes, very much.

9781. Do those vessels take pilots?—The masters of steamships, if they are not pilots, they take a pilot up or down.

9782. I suppose your vessels are nearly all towed up and down?—Yes, if the wind is ahead; but, if the wind is fair, we sail up and down.

9783. In that case tugs are not employed at all?—No.

9784. What is the tonnage of the largest vessel that you own?—Six hundred and ninety-seven tons.

9785. Mr. *Stevenson.*] Have the Harbour Commissioners met to consider the question of compulsory pilotage?—Not that I know of.

9786. I believe that they sanctioned your coming here to state your own case?—Yes.

9787. But they did not give any opinion themselves with regard to the question of compulsory pilotage, did they?—Not that I know of, but I believe that the Harbour Commissioners are in favour of compulsory pilotage.

9788–9. Mr. *Brassey.*] Have the Harbour Commissioners of Belfast had a meeting?—Yes, they had a meeting last Tuesday, but I do not know the result of that meeting.

Mr. James Cochrane, called in; and Examined.

Mr. *J. Cochrane.*

9790. Mr. *Graves.*] I believe you are a Shipowner at Belfast?—Yes.

9791. How many vessels do you own?—I own seven vessels altogether.

9792. You have come here to give evidence before this Committee in favour of the present system of pilotage at Belfast?—Yes.

9793. You desire that that system of pilotage should be maintained?—Yes.

Mr. *J. Cochrane.*

24 May 1870.

9794. Why do you desire that?—To avoid collision and confusion in the river.

9795. Are you afraid that, without this compulsion on the captain to take a pilot, you would have more confusion in the river than there is now?—Yes, both confusion and collision.

9796. Do many accidents occur now on the river?—Not a great many of any consequence.

9797. Is it your opinion that the present system of compulsory pilotage is necessary to maintain the present immunity from accidents in your river?—Yes; so far as my judgment goes, it is necessary.

9798. Have your vessels met with accidents going up and down the river?—Nothing of any consequence in the last 18 years.

9799. Have you come here as a witness solely because you believe that if the system is altered in the narrow water of the Belfast river, you may be rendered liable to more loss and accidents?—Yes.

9800. Is that your only motive for coming here?—Yes.

9801. Have you had many opportunities of talking this matter over with your fellow shipowners?—No, I have not; the owners have an opportunity of passing there as masters of ships for a small amount, and they give them a pilot certificate.

9802. Any man who can take a vessel up and down has only to go to the Harbour Commissioners and ask for a license?—Just so.

9803. And he obtains it?—Yes; he is examined by the head harbour master.

9804. What vessels have you now in the Belfast river that are exempt from taking pilots?—I think vessels of about 30 tons' register and downwards are exempt from pilotage.

9805. Are vessels in ballast exempt from pilotage?—Yes.

9806. Whether going inward or outward, or both ways, I suppose?—It is generally the cargo inwards which takes a pilot.

9807. Do they go down the river without pilots?—Yes.

9808. Do they go safely?—Yes.

9809. Why would not the others go safely?—Those go down one at a time. When we have long head-winds we have perhaps a large fleet coming up from the English and Scotch side.

9810. The outward-bound vessels are more spread over the tide than the inward ones, are they not?—Yes.

9811. What class of men are your pilots?—Some of them have been seamen for about 23 years; they have to serve seven years' apprenticeship, but before that they are seamen, that is to say, river men.

9812. Was the pilotage of Belfast ever voluntary within your recollection?—I cannot answer that.

9813. Are the pilots of Belfast an intelligent, seaman-like class?—Yes, they are an intelligent and sober class of men, in general.

9814. And the shipowners, so far as you know, are satisfied with them under the present system?—So far as I know.

9815. You heard the evidence of the last witness, did you not?—Yes.

9816. Do you agree with him generally with regard to the danger to the river part of the Belfast navigation?—Yes, I come to the same conclusion as he did.

9817. Is there any other point which you wish to mention?—No.

9818. Mr. *Stevenson.*] I think I understand you to say that you are a shipowner?—I am.

9819. Do you attach any importance to being exempt from liability to damage when you have a compulsory pilot on board?—We are liable to 25 *l.* in the event of a collision when a pilot is on board.

9820. But when you have a compulsory pilot on board, you, as shipowner, are free from liability to anything done in consequence of the act of the pilot, are you not?—No, I think not.

9821. Are you not aware that the law is that if a vessel is in charge of a compulsory pilot and runs down a vessel which is not in charge of a compulsory pilot, the owner of the first vessel is free from liability?—Yes.

9822. Are you willing, as a shipowner, to take upon yourself the liability of any accident caused by a pilot, and still to be compelled to take such a pilot?—Yes.

9823. Do you think that in every case the shipowner should be responsible?—Yes.

9824. That is to say whether the pilot is forced upon him or taken of his own choice?—Yes.

2825. Mr. *Gourley.*] Do you think that the shipowner should be responsible for the negligence of his own officers, for acts over which he has no control whatever?—Yes, if it was done through neglect.

9826. You are willing to take all the responsibility of the acts of your servants upon your own shoulders, are you?—We have to do it.

9827. But do you think it is right?—Not if we had any other way of meeting the difficulty.

9828. I suppose you do not think it is fair you should be responsible for the actions of a captain whom you put on board one of your vessels, and who by negligence causes damage by collision or otherwise?—But where are we to go to to obtain compensation.

9829. Is it not the case that vessels are taken up to Belfast by steam-tugs?—In head-winds only.

9830. Then is the navigation sufficiently easy to go without a pilot?—Yes, but it is dangerous even with tugs; one master might cross another; the pilots assist one another, and keep clear of damage to the best of their ability.

9831. If you had a voluntary system of pilotage, would you not have as good a supply of pilots as you have now?—No, my opinion is that they would leave; they would be so poorly paid that it would not be worth their while to remain there.

9832. If it were a dangerous pilot-ground you would always have a supply of pilots, would you not?—We would not have enough to support them.

9833. You do not find any want of captains for your ships?—No, there are plenty in the coasting trade.

9834. In all trades are there plenty?—Yes, there are plenty now; but at one time there was not.

Friday, 27*th May* 1870.

MEMBERS PRESENT:

Mr. Cave.	Mr. Shaw Lefevre.
Mr. Gourley.	Mr. Norwood.
Mr. Graves.	Mr. William Philip Price.
Mr. Grieve.	Sir Henry Selwin-Ibbetson.
Mr. John Stewart Hardy.	Mr. Stevenson.
Sir John Hay.	Mr. Charles Turner.

The Right Honourable GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. Patrick Benson, called in; and Examined.

9835. Mr. *Graves.*] You are a Pilot in Belfast?—Yes.

9836. How many years have you been in the service?—Twenty-three years.

9837. I believe the pilots of Belfast have petitioned the House of Commons to be heard against the Pilotage Bill?—They have.

9838. Do they feel that there will be a decrease of their receipts if this Bill passes?—They do.

9839. Upon what ground do they come to that conclusion?—On very good grounds. It was tried on not so bad a principle as this, and they lost a great deal of work, till they were reduced to live on half their earnings.

9840. They are afraid that their income would fall off to the extent of one-half if pilotage was made optional?—Yes, that is it.

9841. I believe all outward-bound vessels in ballast are exempt from pilotage?—They are.

9842. Do they take pilots?—They do not all.

9843. What class of men take those vessels down?—The hobblers; they generally lounge about the quay, and they are worse than what we usually term hobblers, for a man that does not know one rope from another will steer a vessel down.

9844. Are you afraid that if pilotage is made optional there will be the same class of men bringing vessels up?—Yes.

9845. If one of these men is capable of taking a vessel down, why is he not capable of bringing her up?—They have served no time to it; and they are men who will take upon themselves to do things that they are not fit to do, to get the lumping or the brokerage of the vessel.

9846. Is there the same difficulty of bringing the vessel down as there is in bring a vessel up?—Yes; but generally vessels go down light in ballast.

9847. Do they go down singly, or in fleets?—They go down in fleets, *i.e.*, two or more in tow, and they go down singly just as they are ready to go.

9848. I believe your river is very narrow for about three miles, is it not?—Yes, very; for four miles.

9849. How many vessels can pass abreast at some parts of the river?—It is dangerous for two vessels of any draught to pass at low water; it requires a great deal of caution.

9850. What number of vessels have you known to come up on a tide in Belfast?—I have seen upwards of 50 sail in the river coming up at once.

9851. Are you afraid that if any block took place, any serious loss of property might occur?—I believe there would.

9852. Have you known these blocks to take place?—I have repeatedly.

9853. What has been the result?—Some get damaged, and some get ashore, and lie there for that tide.

9854. Was this compulsory system always in existence at Belfast?—No.

9855. When was there a free system tried?—I believe it was in 1855-56.

9856. What was then the regulation of the Commissioners; have you got the regulation?—I have.

9857. Will you just read what was the altered rule?—These are the slips which we were bound to show to the masters at that time.

9858. What is the date of it; what year was it in?—In 1855. "Every master or owner of a vessel sailing up or down the channel, shall be at liberty to engage either a pilot or tug-boat at his own option."

9859. How long did that option remain in in existence?—Twelve months, I believe.

9860. How long did that free system remain in existence?—Twelve months.

9861. Why was it altered?—It did not give satisfaction; there was a heap of damage occurring, and there were overcharges on vessels made by outside pilots and tug-boats.

9862. Did the shipowners memorialise the Commissioners to go back to the old system?—They did.

9863. What steps did the commissioners take to consider this question?—They appointed a committee of their own body to make a report to them on the subject.

9864. Have you got that report?—I have.

9865. What year was that in?—I believe it was in 1856 or 1857.

9866. What did that committee state in reference to compulsory pilotage?—They said, "It is further our opinion that it would be found impossible to maintain an efficient pilotage establishment unless it were imperative on every vessel, not having a qualified master or mate, to

Mr. *P. Benson.*

27 May 1870.

receive a pilot. Strangers must of necessity take them for their own security, and the rates would therefore fall very heavily on them unless the contributions towards the support of the establishment were made general, a regulation which could not now be considered a hardship by any party, as it is evident that when neither master nor mate is competent to perform the duty, some one must be employed, and the question therefore narrows itself into that of your retaining the appointment in your own power, as your special Act intends, or of permitting this important function to be performed by the masters of the coasting vessels frequenting the port. You have already felt and endeavoured to remedy the inconvenience of masters employing unauthorised pilots when outward-bound in ballast, an inconvenience that would be greatly increased if pilotage were thrown open, and men privileged to act as such without authority from you or from the Board of Trade."

9867. What did the commissioners do after receiving that report?—They reinstated the pilots.

9868. They carried out the old system?—Yes, and it has remained compulsory since.

9869. Do you happen to know whether the shipowners of Belfast are generally satisfied with the present system?—I believe they are all satisfied.

9870. Have you ever heard any shipowner complaining of it?—I have not.

9871. Is it usual to serve an apprenticeship to the pilot service of Belfast?—Yes, I did, close upon 10 years.

9872. Are you aware if this Bill passes it proposes compensation to pilots?—Yes.

9873. Do the pilots of Belfast approve of the mode in which compensation is dealt with?—No, they complain of it very heavily. They have got no funds of their own, and they will not be fit to maintain themselves for the time specified in the Act if it becomes law.

9874. What kind of compensation would they expect?—They pray that the Government may allow them compensation in six months, if it can be proved to their satisfaction that they have lost a part of their income. All the pilots that are there now came there with the expectation of ending their days there, and they are not fit for any other occupation; and they will have to remain there as long as they are able, and they will have very little to support them, I believe, after this Bill passes.

9875. And what they ask is that the average income of the last three or five years should be kept up to them for life; is that it?—Yes, that is what we ask for.

9876. They think that the two years given under this Bill is too long for decision?—Yes.

9877. Sir *John Hay.*] How many feet wide is the river at low water?—Seventy yards, I think.

9878. That is the breadth of the river?—Yes.

9879. And at low water it is 130 feet; is that right?—You can take it just as you like; the river is narrow at the bottom, and at low water you will have 10 feet up to Belfast. Three vessels drawing 10 feet of water cannot pass in a-breast at low water; the two outside vessels would run the risk of getting ashore, or the middle vessel of doing damage.

9880. Supposing a vessel of 130 feet or more, in length, were to take the ground on one side, and swing across the stream, would it cause a block in the river. I see the evidence of Mr. Farrer states, that at low water the river is 130 feet wide?—I believe there are some points in the river in which a vessel 130 feet could not swing, owing to the banks sloping.

9881. In that case the navigation would be stopped?—Yes.

9882. Are you liable to fogs in the Belfast Lough?—Yes.

9883. The persons who could not pilot the river would find it difficult to get up from Carrickfergus to Belfast, would they not?—Yes.

9884. In that case a pilot would be very necessary?—Yes.

9885. I see it is stated by a previous witness, that you have only some 20 odd pilots?—There are 23 pilots.

9886. You have stated that you occasionally have fleets of 50 ships at a time, coming up and going down the river?—Yes.

9887. How do you manage; if there are only 23 pilots all the ships cannot have a pilot?—That is the fact; we are doing more work than we are properly able to do, and the owners have every right to complain of not getting a pilot in proper time, but the pilotage being so low they are willing to put up with the inconvenience.

9888. If 50 ships are going up and down, and there are only 25 pilots to do the work, it would seem that under the compulsory system there are not sufficient pilots for the trade?—Not with a fleet of vessels; that is only perhaps twice in the year.

9889. For the ordinary service, you think that 25 pilots under the compulsory system are sufficient?—We have made them sufficient, and we have to work Saturday and Sunday night and day when vessels are coming.

9890. Do you propose that there should be an increase to your number?—No, I do not propose that; that is for the harbour commissioners.

9891. If 25 of these ships had pilots on board, and the other 25 had not, would the 25 ships that had pilots on board get safer up and down the river than those that had not pilots on board?—When a fleet of 50 vessels come to Belfast, 23 or 24 can be boarded; we have to board them in rotation. The first six or seven of the pilots that are clear of the vessels then proceed down the river to the others. We board the vessels in the river; we are supposed to go to the vessels, no matter how far they are up the river.

9892. You do not go down as far as Carrickfergus on such an occasion as that?—We cannot go any further than we get supplied by vessels.

9893. I believe three miles of the river is a dangerous navigation?—There is more than that, but that is the narrow part of the river.

9894. As a matter of fact, the whole fleet do not come up together, but they wait for pilots? They can follow each other up; they cannot come up abreast; they can come up a short distance astern of the others.

9895. As a matter of fact, you think 25 pilots do succeed in navigating 50 vessels?—Yes, on one tide.

9896. You think that each man could manage two?—No; but the pilots that are in the first vessels break off from them, and they have a boat

to

to proceed down and get on board the others before they are any distance in the river.

9897. At what part of the river does the pilot who is going down again to take another ship leave his first ship?—As far as the Clarendon Dock; there is a row of buoys facing it, and it is quite handy to pick them up at these buoys; they put the stern and bow rope out, and as soon as the vessel is safe the pilot enters a boat we have for the purpose, and comes down again, and boards the first vessel in turn.

9898. You do not think there are too many vessels coming up together in the narrow channel, so as to make it apparent that 25 pilots are not sufficient for the trade of the port?—I believe the 25 pilots have conducted the business pretty well up to the present time.

9899. Can you state to the Committee whether you have any information as to whether vessels without pilots on board are more in the habit of getting on shore than vessels with pilots on board?—I can; this last winter, in consequence of gales of wind, we were not able to get down past the worst of the narrows, and I counted nine vessels ashore there, because we were not able to get down to board the vessels.

9900. Can you state to the Committee any occasions on which vessels have happened to get on shore when they were in charge of pilots?—Well, I cannot bring it to my memory.

9901. Your brethren are so successful, that you have run no risk whatever?—I do not mean to convey that at all; there are cases in fogs where the vessels come on very quickly, and in the narrows it is almost impossible to prevent a vessel going on shore.

9902. You say that the free system was tried in 1855?—Yes.

9903. And that it was found to fail?—It was.

9904. Did it not give satisfaction to the shipowners and merchants whose ships frequent Belfast?—No.

9905. Is there any system by which the masters of Belfast vessels become licensed as pilots?—There is; they can get a license for 1 *s.*

9906. Do many of them take advantage of it?—Not one of them.

9907. Why not?—They have a halfpenny a ton to pay on the registered tonnage, which amounts to something less than half pilotage.

9908. Who has to pay that?—The owner of the ship, who has a licensed master on board.

9909. That is in consequence of the compulsory system?—Yes.

9910. And in spite of having a tax to pay upon the ships navigated by their masters, they still desire to have compulsory pilotage?—They do.

9911. And in the year 1855, after a twelvemonth's trial of the free system, they determined to revert to the old system of having compulsory pilotage?—Yes, they did so.

9912. Mr. *Grieve.*] What was the charge for pilotage in Belfast for the extreme limit of the pilotage ground, that is by the ton?—A vessel of 30 tons register pays 4 *s.*, and every 10 tons after that pays more.

9913. Are coasters obliged to take a pilot?—Yes.

9914. Do they pay so much a ton, or do they pay on a scale?—They pay so much by the scale.

9915. How much does a foreign-going vessel pay?—She pays exactly the same scale.

9916. Do all the earnings of the pilots go into one purse, and is it then divided amongst the lot?—No.

9917. Is each pilot entitled to his own earnings?—Yes.

9918. Is the first man who boards entitled to the ship?—Yes.

9919. You talk of a number of vessels being on shore; is it not the case that a great many vessels run for Belfast Lough?—Yes, wind-bound.

9920. They take shelter there?—Yes.

9921. Some of these vessels slip from their anchors; could any pilot then save them going ashore?—In consequence of masters not knowing or coming to anchor in proper roadsteads, they drive ashore sometimes, or cut away their vessels' masts, to save them. Two or three years ago, in consequence of two or three vessels coming into the Lough wind-bound, one fine Yankee ship had to cut away three of her masts, and one Cumberland brig had to cut away one of her masts.

9922. If a pilot had been on board, do you think they could have been saved?—Yes, I am confident of it. When that law was passed in 1855 and 1856, a ship called the "Largarton" got ashore, and very serious damage was done to her; they had to give a tug-boat 500*l.* at that time, principally to save her crew.

9923. Are the pilots generally old men or young men?—There are some old men in our establishment.

9924. And you have no superannuation fund or provision for these men when they get unfit for service?—None whatever.

9925. Mr. *Cave.*] What sort of a bottom is there in the Lough at Belfast?—It varies; some of it is freestone, some hard sand, and some clay.

9926. It is chiefly hard, is it not?—Chiefly hard; there is good anchorage ground there.

9927. What is the depth?—You get from seven to two fathoms.

9928. Is there a narrow channel running up to Belfast?—I speak of the outside of the channel; in the channel you can get four fathoms at low water.

9929. What is the rise of the tide?—From seven to 11 feet.

9930. Is the channel a wide or a narrow one?—It is very narrow.

9931. And twisted; it is not straight, is it?—No, it is quite crooked.

9932. *Chairman.*] Where do you board your vessels inward-bound?—From Holywood Lighthouse to Gray Point.

9933. Outside the Lough?—Yes, the river is above it.

9934. Just outside the river?—Yes.

9935. Is your main employment from vessels inward-bound?—And outwards; all vessels with cargoes. All vessels above 30 tons bound to Belfast, or bound from Belfast, who have cargoes on board, take a pilot.

9936. I suppose a large number of vessels go from Belfast in ballast?—Yes, they are mostly colliers.

9937. A great number of them leave Belfast in ballast?—Yes, the colliers do.

9938. Therefore your main employment is in respect of vessels inward-bound?—Yes.

9939. And the vessels outwards-bound in ballast do not take pilots at all?—No.

9940. But they take hobblers?—Part of those who go down come to understand it thoroughly; such as foreign-going vessels, but they generally take pilots.

Mr. *P. Benson.*

27 May 1870.

9941. Many foreign-going vessels take pilots, even though they are not bound to do so?—Yes, in many cases.

9942. Would not they continue to do so after the Bill has become law?—I do not think they would have the men to do it; the pilots would have to look for employment that would support them.

9943. Foreign vessels inward-bound would find pilots just as well as foreign vessels outward-bound, would they not?—I do not know that.

9944. What took place in the year 1857; I do not understand that pilotage was abolished then altogether, but simply that vessels with tugs were not compelled to carry pilots?—That was the case.

9945. Did a certain number of vessels continue to take pilots, notwithstanding the exemption?—Our regular earnings were reduced one-third.

9946. You mean by one-third, that your earnings were one-third less?—No; that they were two-thirds less.

9947. Were you a pilot then?—I was only an apprentice at that time.

9948. You do not speak from your own knowledge?—I had a good knowledge of it.

9949. You say that the earnings of the pilots were reduced in consequence of this change?—They were.

9950. And the Belfast authorities thought it better to revert to the old state of things, and compel vessels to take pilots, though they had tugs?—Yes.

9951. Do most of the vessels coming up to Belfast take tugs, or no?—They take tugs when they want them; but, supposing they take tugs, they take pilots also.

9952. Do most of the sailing vessels take tugs in coming up to Belfast?—Not if they can get a slant of wind.

9953. What is the average income of pilots at Belfast?—They average about 100 *l.* a year.

Mr. Frederick Leyland, called in; and Examined.

Mr. *F. Leyland.*

9954. *Chairman.*] You are the Managing Partner of the firm of John Bibby & Company, of Liverpool?—I am.

9955. That firm, I believe, are proprietors of a very large number of steamers?—Twenty-four steamers; the value altogether coming to 900,000 *l.*

9956. Those steamers are engaged in the Mediterranean trade principally?—Yes, principally the Mediterranean trade; and the trade to the coast of Spain and Portugal.

9957. I presume your vessels are in and out of Liverpool every week?—We have two or three departures every week, and two or three arrivals.

9958. You are also chairman of the Liverpool Steamship Association?—Yes, I am.

9959. Does that association comprise the principal steamship owners of Liverpool?—Nearly all the principal ones.

9960. Has the Bill now before this Committee been considered by that association?—Yes.

9961. I believe there was a meeting specially convened for that purpose?—There was a meeting specially convened for that purpose.

9962. And it was discussed at some length?—It was discussed at considerable length, and the opinion was unanimous in favour of the Bill, and they petitioned to the Board of Trade in favour of it.

9963. Will you tell the Committee shortly the reasons for coming to that conclusion?—I think the reasons that weighed most were these: that they thought that under a voluntary system of pilotage, the best men would get the best employment, and that it would tend to bring a better class of men into the service.

9964. Did they also consider the question of the liability of shipowners under the present state of the law, their exemption from liability when a ship takes a compulsory pilot?—Yes, it was considered unjust that the owner should be compelled to take a pilot and still be responsible for the acts of the pilot, but the feeling was decidedly that they would rather have done with the immunity and be allowed to choose their own pilots; the great thing to which importance was attached was the privilege of choice. The feeling, without exception, is this: that they would all continue to take pilots, provided that they had choice of their own pilots, and could get thoroughly competent men.

9965. Was it admitted that cases of evil resulted from the present state of the law which exempts owners from liability when the vessel is in charge of a compulsory pilot?—Yes; there are instances in my own experience of vessels lying at anchor with all their lights up receiving damage, when they cannot possibly be to blame; they have been run into by pilots, and they have no remedy.

9966. The tendency of the present law is to give the charge of the vessel to the pilot, and take it out of the hands of the captain, is it not?—Yes; some captains will interfere, but the majority of captains will not interfere with the pilots; they leave all the responsibility to them; that is the tendency, no doubt.

9967. Was it the opinion of the Committee that the only means of remedying the evil was by making the employment of pilots voluntary instead of compulsory?—Yes.

9968. And that it would not be just to make the employment compulsory, and throw the liability upon the shipowners?—Yes; that was considered to be clearly unjust.

9969. The officers in your employment, I presume, consist of men thoroughly acquainted with the pilotage and navigation of Liverpool?—We have not a single captain in our employment whom I would not trust without hesitation to bring in his vessel without a pilot.

9970. They are so often in and out of the port that they know it well?—Yes; and I say that from the way in which the channel and the approaches to the river are lighted and buoyed, any intelligent shipmaster, who is conversant with the port and has been there frequently, could bring his vessel in with perfect safety.

9971. Have your masters been in the habit of taking out licenses themselves?—There is only one that has done so; it would hardly suit a shipowner,

shipowner, in the present state of the law, to run his vessels without pilots; he would not be playing a fair game; he would be liable for any damage he caused when he had not a pilot on board; whereas anyone running into him with a pilot on board would not be liable. I did try the system with one of our captains, and insisted upon his passing the examination, and he for the space of two years piloted his ship in and out of the port without the slightest accident, and his was a large ship.

9972. Do you think that the exemption from liability under the present state of the law is a great inducement to masters not to take out licenses?— Yes, and it is an inducement also to the owners not to do so.

9973. What is the draught of the vessel of which you speak?—The captain of whom I speak has had vessels of various draughts; the first vessel was a vessel with a draught of 15 feet; the next was a vessel of 20 feet, and the last vessel he had was one of a draught of 21 or 22 feet, and, in fact, the largest-sized ships that come into the port.

9974. What is the average draught of your vessels?—The Portugal boats' average draught is 14 to 15 feet, and the Mediterranean boats from 18 up to 22 feet.

9975. Have you formed any opinion as to what would be the effect of the Bill now before the Committee, upon the employment of pilots in Liverpool?—I think the effect would be, that a better class of pilots would go out for employment and would get better pay. I think the number of inferior men would gradually get less and less employment, and they would gradually get weeded out; I think also, that the owners of the boats would receive very much less for their proportion of the pilotage than they do at present; I do not think the pilots under a voluntary system would allow them to take as large a share of the pilotage as they do at present.

9976. In your opinion, would the employment of pilots to a great extent continue?—I have no doubt whatever of it; we should employ pilots as we do at present, with the exception that we should choose the pilots. The vice of the present system is, that we are obliged to take the first man who offers, no matter how incompetent he is.

9977. And your vessel is put under the charge of that man, no matter what his qualifications are?—Yes; and we have found that the damage to the vessels in charge of pilots has been most serious.

9978-9. You, as a large shipowner, would continue to employ pilots, provided you had the choice of them?—Yes; when a captain comes up after a Channel voyage he is tired and fagged, and his head is full of what he has to do when he comes into the port, and I think it is a desirable thing to put a man on board who would relieve him, but if I cannot get a competent man, I am better without him.

9980. But, inasmuch as you would have the choice of a pilot, you would only choose a competent person?—Yes, I would only choose a competent person.

9981. You have not now the choice of a pilot coming inwards, have you?—No.

9982. Have you the choice of a pilot going outwards?—There is a choice of pilots going outwards; but I think the general custom is, that the same pilot that brings the ship in takes her out.

9983. That is the usual custom?—Yes.

9984. So that, practically, there is not a choice outwards?—There is a choice undoubtedly; I believe if a man wanted to choose a pilot he could have one; there is no doubt that there are many pilots whom we would not take going out.

9985. A good deal of evidence has been given before this Committee of the peculiar dangers of the navigation in the Mersey; can you express any opinion upon that point yourself?—I do not think the Mersey is exceedingly dangerous; I think the danger has been exaggerated; I think it is put too high at present.

9986. It is exceedingly well buoyed and lighted now, is it not?—Yes; I think there might be some improvement. A light at the Bell Buoy would probably be an improvement; but it is exceedingly well lighted, so well that, as I said before, I would not have the slightest hesitation in trusting any captain of ours to bring his vessel in without a pilot. It frequently happens that our captains in bad weather, especially in the winter time, have come up and waited for a pilot and have not got one. The captains have simply brought their ships in without pilots, and that has been in bad weather. That has occurred more than once; it was the case on one occasion last year. There were five occasions last year in the winter time on which vessels could not get their pilots; they waited at the first station, and then came in until they got gradually to the bar, four could not get pilots till they came to the bar, and the fifth came in and got into dock without a pilot.

9987. And the others found their pilots when they got up to the bar?—Yes, when they had got through all the dangers, because from the bar it is a perfectly straight channel in.

9988. Has the steam trade of Liverpool been greatly increasing of late years?—It is greatly increasing.

9989. Is that the case as compared with sailing vessels?—Yes, the whole trade formerly carried on by sailing vessels is getting rapidly into the hands of steamers, and now that the Suez Canal is open, there is no doubt that the India trade will go by steam.

9990. And I presume the navigation by steamers is much easier than by sailing vessels?—To a man who is competent, it is so; steam ships are more independent of the wind.

9991. You mean if they know anything about the navigation of the river?—Yes, if they know anything about the navigation of the river.

9992. As I understand you, notwithstanding the familiarity which your captains have of the navigation, you would, as a general rule, still continue to employ pilots, if you had the choice of them?—If I had a competent man I think it would be a prudent thing to take a man of that kind on board to relieve the captain.

9993. Under the present rule you have men forced upon you of whom you know nothing, and who may not be competent?—Yes.

9994. Mr. *Graves.*] Are you aware that under this Bill it is not proposed to make any alteration in the direction in which your mind seems to be running, namely, of a free system?—I understand under the Bill that it is not compulsory to take a pilot.

9995. But

Mr. *F. Leyland.* 27 May 1870.

9995. But in all other respects it is left to the local authority to control and conduct the pilotage service exactly as it is now, if they should think fit; there would be no freedom of choice, which you seem to lay so much stress upon, any more than there is at present; I presume you are aware of that?—There is a freedom of choice in this way, that a man need not take a pilot unless he wishes it, but assuming a man wishes to take a pilot at all, he must take a licensed man; that I understand to be the operation of the Bill.

9996. It seems to me that your mind is running upon a free system of pilotage, where the energy and superiority of the men would be able to show itself?—I think a system of that kind would be the best that could be adopted.

9997. That is not at all contemplated by the present Bill in any way?—I think that is the defect of the Bill as it is at present. In our petition to the Board of Trade, it was stated that the only objection that the association had to the Bill was that it did not go far enough, and did not provide for a purely free and simple voluntary pilotage.

9998. What you would desire to see introduced into Liverpool would be a perfectly free system of pilotage, that qualified men might be allowed to go where they thought they might meet with a vessel soonest, and where they could be of the most use to the shipping coming into the port?—Yes.

9999. And so get the largest amount of earnings for themselves?—I do not think a pilot ought to be allowed to charge whatever he likes, that is not my idea of a free system.

10000. I mean earnings for himself?—I think it would be a wise thing to make the earnings of the pilot depend upon his skill and enterprise.

10001. *Chairman.*] You think that there should be a regulated price and a licensed corps?—Yes.

10002. But you think that it would be desirable in granting these licenses that each man should earn for himself?—Yes.

10003. So as to bring the greatest amount of inducement upon a man to do his best?—Yes, to make the inducement as great as possible.

10004. There is nothing in the Bill to prevent that state of things?—No.

10005. And it would be competent for the local pilotage authorities to adopt that system if they think fit?—Yes.

10006. Mr. *Graves.*] You are probably aware that the dock board of Liverpool has all the power now which this Bill will give them to make the system free or not, as they please?—I do not understand that the dock board can do so at present; I do not understand that the dock board have the power to throw the pilotage open, but if they have I do not think it likely that they will exert it.

10007. This Bill gives them no additional power to that which they already possess?—I am not aware of it.

10008. With regard to choice, are you aware that many of the large steam employers have their own pilots in and out regularly?—Yes.

10009. Have you applied for any such privilege yourself?—I could not use it if I had the privilege, because we do not call at Queenstown as the American boats do.

10010. Would there not be a possibility of making some arrangements by which your pilots would be taken at Point Linas and landed and returned to you at once?—It would not do for a vessel to put into Point Linas; the risk of lying off the shore there would be greater than the risk of having an incompetent man on board.

10011. Some of the ships take pilots to Bordeaux and Lisbon, do they not?—I am not aware of it; I go to Lisbon but I do not take my pilots there.

10012. How would the choice be exercised upon vessels inward bound; what greater choice would they be able to have if the Bill passes than they have at the present moment?—I could arrange it in my own case. Assuming that I could choose any pilot that I liked, I should at once communicate with half-a-dozen of the best men, and should say, "Now you know when our ships come in (they come in at certain times); be on the look out for them and you will get the preference." I should issue orders to my captains and they would take these men.

10013. Have you any reason to think that such an arrangement would not be come to by the pilotage committee at the present moment without any Bill at all?—I do not think that such an arrangement would be contemplated, and I do not think the pilotage committee would make such an arrangement.

10014. They would have quite the same power as they have at present?—I do not see how they could. Under the voluntary system I think the best men would get together. The most enterprising men would flock together, because one man cannot have a boat to himself and go out; but a dozen men would get together in a boat, and the most skilful and enterprising men would go further out. As it is at present, you have one good pilot in a boat and half-a-dozen bad ones.

10015. Are you not aiming at something beyond the scheme of this Bill in desiring an entirely free system?—I do not think so at all; because if it were not compulsory upon us to take pilots as at present, I should say, unless I can get the men I want, I will not take them at all, and then if I went to the pilotage committee they would soon make an arrangement to carry out my wishes.

10016. *Chairman.*] There would be then a strong lever to bring to bear against the commissioners?—Yes, but I have not, under the present law, thought it worth my while to make such a proposition to the pilotage committee.

10017. Mr. *Graves.*] Do you think the station system of Liverpool is a desirable one to maintain?—I think the pilots might go further out.

10018. Do you think that it is a great safeguard to vessels running in to have stations where the pilot boats would be, under all circumstances, rather than having a free system of roving all over the Channel?—There is no doubt that in theory it is better to have pilot boats always where you can find them, but in practice the pilot boats are not always where you can find them. My own ships have been coming in, and have not always found pilots upon their stations.

10019. Do you think it would be better to have another pilot boat further to the westward?—I think that you ought to make the earnings of the pilots dependent upon the fact of their catching a ship; at present a pilot gets paid whether he gets his ship or not. The pilot's idea is that if I am not caught by him I will be caught by someone else.

10020. Mr. *Price.*] You said that the great object

object that you desired to aim at was a perfectly free system of pilotage?—Yes.

10021. The honourable Member for Liverpool calls your attention to the fact that this Bill does not destroy the present local pilot authority; I suppose what you look forward to is this, that if you were free to take pilots or not, you think the local pilotage authority would soon adapt itself to that altered condition of things?—Yes.

10022. And I suppose if the local pilotage authority found the pilots were not taken except where the captain of a ship had a certain power of selection, they would then make such provision as would enable that choice to be exercised?—They would.

10023. That is the state of things that you would desire to arrive at?—Yes.

10024. I suppose you would still desire that a man should not exercise the profession of a pilot unless he had undergone some process of examination, and had a certificate of efficiency?—Yes, I think they ought to be licensed.

10025. Just the same as that a physician does not practise unless he has a diploma, or a solicitor unless he has been duly called by the courts in which he practises?—Yes.

10026. There is nothing inconsistent with the principle of free trade in that, is there?—No; I do not consider it inconsistent with the principle of free trade that the men should be licensed.

10027. There is nothing inconsistent with the principles of free trade in the present system, under which medical practitioners practise, or on which solicitors practise, is there?—No.

10028. Nor would there be under a system of pilotage where every man could employ a pilot or not, as he pleased; but you think that such pilots should not be permitted to exercise that calling unless they possess some certificate of ordinary competence?—Yes.

10029. And your opinion is that if such a body of men were licensed by the local pilotage authorities, and you had an opportunity of taking them or not, as you pleased, and taking only such of them as you thought were efficient, you would get a more efficient and energetic race of pilots than those found at present?—Yes, that is my opinion.

10030. That you say as a shipowner?—Yes, that I say as a shipowner.

10031. Sir *H. Selwin-Ibbetson.*] You stated, did you not, that the Liverpool Steamship Association, at a special meeting, were unanimous in support of this Bill?—Yes.

10032. Can you tell me of how many members the committee consisted?—I should think there were present at the meeting perhaps eight or ten, but you must understand that the steam trade of Liverpool is in the hands of very few individuals.

10033. How many does it consist of?—I cannot tell you.

10034. What proportion of the public opinion did the eight or ten represent?—I suppose it would represent two-thirds of the Liverpool steam trade.

10035. It was not by the voice of the whole association?—No, because Mr. Moss, a member of that association, who gave evidence here, told you he was not present, though he was asked to be present.

10036. You stated there were none of your captains employed whom you would not trust to navigate ships up the river?—Not one.

10037. You do not attach any importance to the evidence we have had before us, of the change in the sandbanks and the constant shifting nature of the channel of the Mersey?—Not the slightest.

10038. You think that is exaggerated?—Yes, I think the evidence given here on that point is absurd. No doubt changes take place in the Mersey, but they are neither sudden nor frequent; there are changes in every river.

10039. You say you object to the compulsory power of taking pilots because you are liable, under that system, to get a man that is not an efficient man?—Yes.

10040. Consequently, as it is compulsory at present, it must occasionally happen to you now that you get men who do not know their duties?—We have had them very frequently.

10041. Have you had many accidents?—Very many. During the 15 or 18 years that we have been in the steam trade I have not the slightest doubt that there has been damage done to our ships and to the property conveyed in our ships, from the grossest negligence on the part of the pilots, to quite a quarter of a million; and the extraordinary leniency shown by the pilotage committee, when cases of great negligence have been brought before them, is quite incredible. It seems to me that it is a complete farce to bring any complaints before them. We now simply notify the complaint to the committee, and generally take no further notice of the thing.

10042. You think that under the voluntary system they would get a more efficient staff of pilots?—Yes, because I would not employ them unless they were; it would be the lever that we would use. If a man is not competent, and not able to do his work properly, we will not take him.

10043. You think that the pilots under the voluntary system would go as far in bad weather as they do at present?—I think they would be more skilful and more enterprising, because their earnings would depend upon their skill and their enterprise.

10044. That remuneration being a fixed charge, you would not approve of voluntary charge?—No, there would be no freedom of contract; it would be freedom of contract in my case, and I should be quite willing to let the pilot charge whatever he liked, because if he charged too much I would not take him; but you must give some protection to foreigners and strangers coming to the port; they would be at the mercy of the pilot if the pilot could make his own charges.

10045. Would you make it voluntary, as far as the interests of the shipowners are concerned, but compulsory to a certain extent with reference to the pilots?—It would be to the pilots compulsory to a certain extent. On the other hand, no one would be employed but licensed men.

10046. It would be free trade to one class of men, and not free trade to the other class?—Not exactly so. If the pilot's employment is limited to a certain number, it is clear that the Government have a right to say, "We must make a provision by which a sufficient number will be ready to do the work."

10047. But an open free trade really means letting any man take his chance, and leaving it to the owners to leave him or take him?—I think that is carrying free trade to a most exaggerated length.

10048. Sir *J. Hay.*] Supposing one of your ships was making the lightship in thick weather,

Mr. *F. Leyland.*

27 May 1870.

and a pilot came off and offered himself, and he was not one of the special pilots whom you desired your captains to use, would you think it fair and right that that pilot should be rejected?—I think so; if he was a man whom I had reason to believe was not competent, I think it is fair and right not to take him.

10049. You yourself would not be on board the inward-bound ship?—I would leave it to my captains, who come in so frequently that the details might be left to them.

10050. You would leave it entirely in the hands of the captains to select or reject the pilots?—If you ask me what I would do with my own captains, I would do that certainly.

10051. With reference to your own ships, you would give your captains instructions that they were to elect and reject pilots as they pleased, whether they were pronounced by their certificates or otherwise to be good pilots?—Certainly. The instructions I would give out would be these; I would say, "Here are half-a-dozen competent men; always take them in preference." I would go further. I would say, "If a man presents himself whom you have reason to believe from experience is incompetent, do not take him."

10052. Is not that rather assuming the duties of those whose duty it is to investigate and license the pilots?—I say that the captain himself is perfectly competent to bring in his ship, and he is perfectly competent to judge whether another man is; he soon sees whether the pilot he takes knows what he is about.

10053. Do you know Captain Judkins?—Yes.

10054. Have you seen his evidence?—I have.

10055. He states with all his knowledge, and some 30 years' experience of the port of Liverpool, that he does not conceive himself competent to bring his ship in and out?—He has a lower opinion of his competency than I have. A large portion of the steam trade of Liverpool is at present navigated in and out by men who are not pilots, that is the coasting trade, and there are large vessels engaged in the coasting trade; then I have in my own experience employed a man who is by no means the best of our captains, for he is a young man; and I said to him, "I will give you your promotion, only on the condition that you pass for a pilot," and he passed the examination, and he has gone on two years without the slightest accident.

10056. Did not you pay pilotage?—No, it was part of his business as a captain; it showed me clearly that it is quite feasible for the captains themselves to navigate their vessels in and out of the port of Liverpool; then came a second consideration, which was this; what would be my position if I had a captain on board, and not having a pilot: under the present law I should be liable for any damage done by collision; whereas if another man with a pilot on board ran into me, he would not be liable; therefore it is not fair play.

10057. You are aware that we have it in evidence before us, that only one ship was lost in the port of Liverpool last year with a pilot on board, and 59 or 60 ships were lost without pilots; does that agree with your knowledge?—I have no knowledge of it.

10058. Do you think it is likely?—I have no doubt it is likely, for this reason, that the vessels that are allowed to go without pilots are small vessels; they are undermanned and ill found. The only vessels that are not compelled to take pilots, which are the vessels referred to, are vessels notoriously undermanned and badly found; they are small colliers and vessels of that class chiefly, and I should be quite prepared to expect that the losses among that class of vessels would be much greater than amongst any other class, quite apart from the question of pilotage. I have no doubt these vessels have been lost, but I should not trace their loss to the want of pilots.

10059. Still these vessels would be of lighter draught, and the channel itself would be more available for them at all times of the tide, and the masters of them, as they are coasting vessels, would be persons who would have become very generally acquainted with the port of Liverpool?—I have no doubt it would be so.

10060. And therefore these vessels are of light draught, and do not require any great care or skill in their navigation?—I do not say that at all; I do not say that they do not require care and skill in their navigation; but it is clear that a vessel of light draught of water may go with impunity where a vessel of deep draught cannot go.

10061. Then these coasters would be navigated more easily in and out of the port of Liverpool, and they would be in the command of captains who were trading in that particular locality, who would be supposed to have a competent knowledge of the port?—That is so; but I think statistics of that kind are of very little real use. If you want a fact that would be of use, you would have to ascertain how many accidents there have been to the coasting steamers which don't take pilots (not these little sailing vessels, but steamers of great value, where the owner is compelled in his own interest to put in competent men to manage them). You must then see what are the proportionate accidents to similar vessels that carry pilots, and you would find that the proportions would be decidedly the reverse. I think there are more accidents to ships with pilots on board than to those without.

10062. As I understand, there are very few ships going in and out the port of Liverpool that do now go in and out without pilots?—There are the coasting steamers.

10063. But as I understand the evidence of the witness who gives this information, it was this: that this amount of 50 or 60 ships did apply to the ordinary coasting trade without reference to whether they were coasting steamers or not?—I should not believe in these statistics; I should say they are entirely wrong; I do not know of any coasting steamer that has been lost in the year; the loss of a coasting steamer would create a sensation; they have generally passengers on board and valuable cargoes; I am certain no loss of that kind could take place without my knowing it.

10064. I believe a good many losses have occurred from vessels being unable, in consequence of the weather, to get pilots; take the case of the "Royal Charter?"—I do not think the loss of the "Royal Charter" had anything to do with her not having a pilot; I think that the loss of the "Royal Charter" was in consequence of not having sufficient steam-power to keep off the land; the "Royal Charter" had not got into Liverpool pilotage waters.

10065. I suppose that you are your own insurers?

surers?—To a very large extent; we run a risk to the extent of 200,000*l.* on our whole fleet.

10066. Are there other gentlemen who are not in such a large way of business who are not their own insurers?—There are.

10067. I do not speak of shipowners of the high class, but are there persons who do own ships, and who insure them very largely, and having insured them very largely, cover themselves against the loss?—There is no doubt about it.

10068. Do not you think that those persons who look to a return in a manner which is not desirable should have their crews and property protected by compelling them to take pilots?—I think a man who wanted to lose his ship for the sake of the insurance is exactly the man to take a pilot, for this reason, that if he wanted to lose his ship, he would not lose it in such a barefaced manner as would inevitably bring suspicion upon him.

10069. You think there would be collusion between him and the pilot?—Any man who wanted to do such a villanous thing as that would not neglect any caution, such as taking a pilot, because if the loss ensued through the want of taking a pilot, on the loss being investigated in court, he would be found out. He would prefer to lose his ship far away from the place by scuttling her, or sending her to sea undermanned, or ill found.

10070. No such thing as that could be done at the entrance of a harbour?—No, it could be too easily proved against him; it is too near the place where such matters are investigated. Ships of that kind are lost in distant seas, where it is difficult to get at all the facts.

10071. Some of the witnesses have made such suggestions, and, therefore, I thought I would ask you the question; now as to the power which the captain has when the pilot is on board, I think I understood you to say that in your case the captains do not give up their charge entirely to the pilots?—No. The best men we have, and the most resolute men, simply take the risk on their own shoulders; they do not let the pilots take charge, and with those men there are the fewest accidents; but the youngest men who have not so much resolution, let the pilot take charge. In time of danger there is a conflict of command, sometimes they let the pilot have the control, and sometimes they interfere and give advice, and then an accident generally occurs.

10072. The orders in the Navy are that "The captain is to order everything that relates to the navigating of the ship, to be performed as the pilot shall require, but, nevertheless, he and the master are to attend particularly to his conduct, and if, from his or the master's observations he shall have reason to believe the pilot not qualified to conduct the ship, or that he is running her into danger, he is to remove him from his charge, and to take such measures for the safety of the ship as circumstances may require, noting the time of the pilot's being so removed in the ship's log-book:" and Captain Judkins, on behalf of his company, stated that all captains consider their responsibility similar to that of a captain in the Navy who acts under the order I have just quoted from the Admiralty; would that represent the description of the responsibility which your captain would have with a pilot on board?—No doubt that is pretty much the same order as we give to our captains. I should expect a man, if he saw a pilot grossly incompetent, to turn him out. But then the question arises as to what is incompetency, and one man is more ready to assume it than another.

10073. But, on the whole, you consider that that is an exposition of the direction under which your captains would act?—No doubt, an intelligent man would act under it.

10074. And you, as his owner, would consider that he had performed his duty if he carried out that instruction?—I would, no doubt.

10075. Mr. *J. S. Hardy.*] You said that you got a young captain to take a pilotage certificate; how long was he in and out of the port?—Nearly two years; he had probably navigated the ship 40 or 50 times.

10076. You do not appear to have a very good opinion of the pilotage of Liverpool; but does it not show that there is an efficient pilotage service when we are told that, during the whole year through, there was only one ship lost with a pilot, and 59 or 60 ships lost without a pilot?—I should doubt it. I presume that the 50 or 60 on the one side, and the one on the other, are in the same position; whatever is a total loss on the one side is a total loss on the other, but total losses in Liverpool must necessarily be of very rare occurrence.

10077. *Chairman.*] The total losses of large vessels would be very few, would it not?—Yes, but the accidents of stranding and collisions are numerous enough.

10078. Mr. *J. S. Hardy.*] Of course, collisions are also more numerous in large steamers than in small coasting vessels; as a rule, a steamer is the cause of a collision?—It takes two vessels to make a collision; but small craft are less likely to get into collision with one another.

10079. It is a large ship and a small one usually, is it not, that come into collision?—It is generally so. I think it really comes to this, as a rule, that the collision generally takes place between a competent man and an incompetent man; it is the incompetent man that either does not get out of the way, or runs over the other.

10080. Mr. *C. Turner.*] I want to ask whether you know how many members there are of the Steamship Association?—No, I cannot tell the number; but the amount of tonnage owned by the members of the Association comes to about 400,000 tons.

10081. You said that, at the meeting at which the resolution was passed in favour of voluntary pilotage, there were only eight or ten present?—Yes.

10082. What proportion of the steamship tonnage was owned by those parties?—I should say there would be two-thirds of it.

10083. As much as that?—Yes.

10084. Mr. McIver was not there?—No.

10085. Was there anybody representing his firm?—No; because he and his only other partner were abroad; but he has repeatedly at meetings expressed pretty much the same opinion as we do upon the subject.

10086. You think that he and his captains differ in opinion?—I do.

10087. Mr. Moss is a large steamship owner, is he not?—He is not a large steamship owner; he is a steamship owner.

10088. He was not there?—Mr. Moss was not there.

10089. If the whole were there, you would not be as unanimous as you were with the eight or ten?

Mr. F. Leyland. 27 May 1870.

ten?—I think they would, with the exception of Mr. Moss; what he might have done I do not know; he is the head of the pilotage committee, and there is a good deal of *esprit de corps* among the members; but one member of the pilotage committee, Mr. Harrison, was present at the meeting.

10090. The pilotage committee as a body have nothing to do with the pilots themselves; they are not pilots, are they; they have no connection with the boats, and they have no connection with the pilots, except so far that they are the governing body?—I believe that is so.

10091. As far as they are concerned they have no interest whatever in upholding any system, except that which they think best for the port?—That is so.

10092. And they are unpaid; they are men of large experience and have property, and they have nothing to bias them in their decision with reference to this matter, have they, except what is for the good of the port?—They may not be good judges as to what may be good for the port. I do not charge them with any interest except a sort of *esprit de corps*, which people get when they serve on a committee. I have always found them leaning very much to the pilots, and that is the experience of most other steamship owners that I know.

10093. I do not exactly see what that leaning arises from; they are chosen, as you know perfectly well, in this way: a certain number of them are members of the dock board, and a certain number of them are chosen out of independent shipowners?—Yes.

10094. So far as to constitute a very fair and impartial committee?—Yes.

10095. That is the object of choosing them, is not that so?—I have no doubt that was the object of the choice.

10096. In what way would you get a fairer tribunal to judge between a pilot on the one hand and a shipowner, who may be suffering under any loss he has sustained, on the other, in considering the conduct of the pilot by whom that loss has been caused?—Of the two I would rather have the present tribunal of the Board of Trade than the pilotage committee.

10097. Why?—Simply because I judge of the capacity of the tribunal by the decisions they have given, and the decisions, as I know in my own case, given by the pilotage committee have been perfectly absurd.

10098. You are not quite an unbiassed judge, because you were smarting under a loss; do you think that any man is so good a judge of his own case as an impartial tribunal, such a tribunal as is generally appointed for this particular purpose?—Certainly not; no man is a good judge in his own case; but then I do not form my judgment on that alone. I know of other cases with which I have had nothing to do, in which the grossest acts of negligence of the pilots have been passed over with a leniency which is quite incredible. We had, some years ago, the case of Allen Brothers, in which they had a valuable steamer put on shore by a pilot in the river; it was a total loss; that was a case of the greatest neglect of the pilot, yet the pilot is done nothing to; he is simply reprimanded.

10099. Mr. Allen is a member of the dock board, is he not?—Yes, lately.

10100. I do not see why men of large property and good knowledge of shipping, and men of sound judgment and good sense, should be biassed in inflicting these very lenient sentences, because the evidence we have already had is to the effect that any carelessness on the part of a pilot, or any misconduct on the part of a pilot, is very severely punished by the pilotage committee; that is the evidence we have had, so far?—That is not my evidence at all, nor is it the evidence of any man whom I ever heard speak upon the subject.

10101. Several gentlemen gave evidence here on that fact, and the evidence was to the effect that any misconduct on the part of a pilot was very severely judged by the pilotage committee?—It is not at all my experience.

10102. I think you have said that you believe that voluntary pilotage would produce more efficient men than the present system?—I think so.

10103. The voluntary pilots would have no board over them at all, and nobody to sit in judgment over them?—I do not know why that should be necessarily so.

10104. They will pass an examination, and having passed that examination, in the case of accident there would be no appeal court to resort to?—I should think they could have their licenses suspended.

10105. How could a board be constituted more impartial than the present board?—I see no difficulty in that any more than there is a difficulty in constituting a board to decide upon the losses caused by a captain; the same board might examine both. Whether the loss is occasioned by the captain or by the pilot, the same board is competent to deal with it.

10106. You must be aware that the sentences upon captains for losing vessels are not unquestioned?—They are not; but I think they have probably erred in the opposite direction; they have been very severe. Certainly, I do not know of any case in which a captain who has lost a ship has got off from the undue leniency of the tribunal.

10107. I speak with reference to the examination of captains who have lost a ship or run a ship on shore; you know that shipowners appear before a stipendiary magistrate and two nautical assessors, and the decisions of that board are very much canvassed, and they are thought in many cases to be anything but just, between one and another; how are you to have a tribunal better chosen than the present tribunal, a certain number of whose members are chosen from the dock board, who are thoroughly acquainted with the subject, the other portion being chosen from men outside the dock board who have a knowledge of the subject, and who are known for their impartiality and fitness for the office; you say that the Board of Trade is a more competent tribunal?—The Mercantile Board, I speak of, where the assessors sit with the magistrate; I think that is a better tribunal, first, because it is a public one; when there is an investigation before the pilotage committee at present, two or three members sit down, there is no public admitted, and no report of it is given in the papers; you have no solicitor there to conduct the matter and probably no assessor sits there. That is not a satisfactory way of investigating into the loss of property to the extent of 60,000*l.* or 70,000*l.*, which often enough occurs.

10108. May not you have just as much justice done by an informal examination as by a formal examination; do not you think that by an informal

formal examination of that kind, which allows any question to be put to elucidate the subject, you are as likely to come to a correct decision in a matter of this kind as by a tribunal which will be hampered by the forms you speak of?—No, I think not; I think you are more likely to get at the truth when it is elicited by men who are in the habit of making investigations of that nature. I think if you have a solicitor to examine a witness, he will be more likely to get at the truth than a man who is quite unpractised in examinations.

10109. You think it would be a great improvement upon the present system in Liverpool, supposing the Pilotage Board to remain as it is, if they proceeded in the way of a formal court of justice, and had a solicitor on each side to examine and cross-examine the witnesses, and in case they wished to do so having counsel also; do you think that that sort of system would give more satisfaction to the merchants of the port?—I think so. It would be more satisfactory to myself to be able to employ a solicitor when necessary; but what I think would be a great improvement would be this, to have the proceedings public, not private; and next, that there should be some assessor there who should keep them right as to what is evidence and what is not.

10110. The stipendiary magistrate keeps them right with regard to the law, does not he?—Not on the pilotage committee. There ought to be some one there who is competent to keep them right as to the mode of conducting the examinations.

10111. That could not be merely matter of choice upon the part of the gentleman whose ship had suffered damage, but the pilot would have the power of calling in a solicitor?—Certainly.

10112. It would add much to the expense of the investigation; do you think altogether that that expense would be well incurred?—In many cases I think so. If a master of a vessel gets damage done to the extent of 10,000 *l.* or 15,000 *l.* it is not any satisfaction to him to go before half-a-dozen shipowners, some of whom might attend to the case one day and not attend to it the next day, and who deal with it in that way.

10113. That is hardly a fair representation, is it? As you are aware, I have been the chairman of the dock board, and am a member of the dock board now, and whenever there is a serious matter the members of the board consider it their duty, having attended one part of the examination, to go through with it. I do not think it is a correct representation that when a case of 60,000 *l.* is on, that a man would come and attend to it one day and not attend to it another?—There is nothing to prevent it being so.

10114. That is another matter; the whole thing is a voluntary matter?—The investigations do not go generally over two or three days. I say it is a thing to which we are open at any time. We are talking now of the construction of the tribunal.

10115. In judging of the efficiency of a tribunal, you must take what has happened, and not what might happen?—I thought you asked me what would be the better tribunal.

10116. I ask whether the tribunal has not acted well upon the whole, and you think the other would be the better tribunal?—Yes.

10117. Even your most resolute men sometimes put vessels into danger as well as take them out of danger; resolution is a very capital thing, no doubt, and when masters are serving owners who are men of great ability, having great confidence in them, they are apt to run greater risks sometimes than are justifiable; would all your captains risk a gale of wind and not take pilots?—I gave you an instance in which a man brought his ship in for nearly two years without taking a pilot.

10118. But he might come in in fine weather?—The fact was, that it was not so; it was not always in fine weather. I gave you also an instance in which a captain came in without a pilot in bad weather; there were five instances last year, and they all occurred in bad weather.

10119. Would not they in case a pilot offered his services in a gale of wind take him?—They would take a pilot now, whether there is a gale of wind or not, because they are obliged to take a pilot.

10120. Supposing they were not obliged to take a pilot, or pay pilotage, which amounts to the same thing, would not your instructions be, supposing you had not pilotage to pay, that they should never take pilots under any circumstances?—I told you the instructions I would give; I should make arrangements for a choice of pilots; I should point out, say, six or a dozen pilots, all competent men; I should say to the pilots, look out for the ships when they arrive; and I should say to the captains, give these men the preference, and I have no doubt one or other of the men would invariably pick up the ship.

10121. When your vessels came in a gale of wind, could you always pick up one of the 10 or 12 men; I do not see how it would be possible to do it, when it is very difficult to get a pilot on board, and very difficult to meet one; you would not know what pilot you were going to take?—I should not have the slightest hesitation to trust the pilot to find out our ships when they came in.

10122. Do you mean to say that you would always have a boat cruising off, on the look out; your boats are constantly arriving, would you have a boat always off any one of these points, at the four or five different stations with your choice pilots on board?—I should arrange with one or two boats; I should say, you know our vessels well, you know their course, look out for them.

10123. In heavy wind, and thick weather, it is sometimes difficult, is it not, to pick up at any particular station; you get to the first station you can, the wind may be in a particular quarter, and it is very difficult to fix upon any one station that your ships will make?—The pilots know where our ships will come

10124. You would have to keep further from the land, or nearer to the land, according to the state of the wind or weather, would you not?—That would not have much influence upon a steamer.

10125. With regard to the accidents, you said they have been very numerous?—Very numerous and serious.

10126. Are you speaking of any accidents by which you suffered loss; not a total loss?—Not a total loss. As I tell you, total losses must of necessity be very rare.

10127. Mr. *Grieve.*] Of whom is the pilot board composed; is it of members of the dock board and the shipowners?—There are some shipowners, and there is a certain number from the dock board.

Mr. *F. Leyland.*

27 May 1870.

10128. Are they elected annually?—I do not know.

10129. Is the clerk of the board a legal man?—They have no clerk that I am aware of. There is the solicitor to the dock board. I do not know that he attends.

10130. There must be a clerk of the board?—I am not aware of any legal man that they have as clerk of the board.

10131. If pilotage were thrown open you must have a board to conduct the licensing system and look after the general conduct of the pilots?—Yes.

10132. Have you had many complaints against the pilots?—Yes.

10133. And you do not get proper advice from the board?—The board generally confine themselves to reprimanding the pilots: it is not that they do not arrive at a pretty just conclusion as to where the blame lies, but I object to the amount of punishment. There were many cases in which the pilot ought to have been discharged when he was not.

10134. Is it sometimes the complaint in Liverpool that pilots will not proceed to sea?—I have not had many complaints of that.

10135. You think that some of the pilots are not in your judgment fit to pilot ships?—I think a great number of them are not; there are many skilful men among the body.

10136. I think you said you would continue to employ pilots if it were thrown open?—I should employ a pilot if I could choose him.

10137. For the reason that it would relieve your master?—Yes, and it costs very little.

10138. Mr. *Gourley.*] Whom do you think in such a case should have the command of the ship when you have the pilot on board; the pilot or the captain?—If I had a pilot of my own choice on board, I should say that the captain must be the responsible man, in precisely the same way as if he left the deck in charge of the mate.

10139. You would employ the pilot as an auxiliary, to point out any danger that might exist?—As an assistant to the captain, and nothing more.

10140. You stated that you had a good many accidents to your vessels when in charge of pilots?—Yes.

10141. Did those accidents occur inside or outside the Mersey?—They occurred in pilotage waters.

10142. Did they occur inside the bar or outside the bar?—We have had some inside the bar, and others just as we come up to the bar; then we have had a large number of collisions in the river. We had a case in which a pilot put his vessel on shore when he had barely got her out of the dock.

10143. I believe the bulk of the accidents occur rather inside the bar than outside the bar, do they not?—I should say probably the bulk would be inside the bar.

10144. Would you consider the majority of captains with steamships, or with the assistance of tugs, quite competent to bring vessels into the Mersey without pilots?—No, I say two things are requisite; one great thing is not only that a master should be an intelligent and a first-class man, but that he should be in the habit of frequently coming into the port; he must be conversant with the port; he must not have to go down to his cabin and ascertain what is the meaning of this green buoy and that red buoy, and what is the meaning of that light, or of that headland; he must have such a knowledge by frequenting the port, that he knows what these things mean at once.

10145. You think a captain should be in the habit of trading to Liverpool?—A Mediterranean captain or any captain in the American trade could conduct his ship without a pilot.

10146. You said that a great many losses in the small vessels trading to Liverpool were in consequence of being badly found and undermanned?—Yes.

10147. Does it not arise in a great measure from those vessels hugging the land too closely rather than being undermanned?—I should not think so; it is a notorious thing that vessels of that class, colliers and others, are not so well manned and well found as vessels of a larger class.

10148. Is there no supervision exercised over them on the part of the underwriters?—The vessels are very rarely insured at all, neither are their cargoes; the colliers never insure their vessels; they are often navigated by a man and his wife, and a couple of boys to assist him.

10149. In such a case the loss is a loss to the owners?—To the owners.

10150. And the owners have no interest in losing the ships?—Not at all.

10151. You would license all men capable of passing a competent examination, and you would not limit the number; you would give every man a license to act as a pilot who could pass before a nautical board a competent examination?—I do not think so at present; I think some regard ought to be had to the interests of the men who have been brought up under the old system, and I think the licenses ought, at all events for the present, to be restricted to them alone.

10152. You would limit the number?—I would limit the number.

10153. Mr. *Cave.*] I think you said that you would make regular arrangements with pilots to meet you at the entrance to the harbour?—Yes.

10154. Your vessels come in very regularly, do not they?—Yes.

10155. And, of course, there would be no great difficulty in the pilots meeting you at that point?—There would be no great difficulty with us, and with companies like ours there would be no difficulty.

10156. That would not be the case with reference to ordinary traders?—No, certainly not.

10157. How would such an arrangement as you propose with voluntary pilotage meet their case?—They would have to run the risk; they would have to run their chance of getting a competent or incompetent man; they could not possibly judge; a stranger who has come to the port for the first time would naturally take the first pilot that offered, because he could not judge whether he was a good or bad one; he would take the fact that a pilot having a license was a proof of his competency.

10158. And they would be in precisely the same position as they are now?—Yes.

10159. Do you think they would be in as good a position under the voluntary system as they are now?—I think it would be better; because the class of men we employ at present as pilots get too little out of the thing under the present system. I am convinced that it is a bad system for the pilots themselves.

10160. Their

10160. Their earnings are not sufficient?—Their earnings are not sufficient.

10161. Do you think that their earnings would be greater under the voluntary system?—Yes; in the first place it is not at all a likely thing that the pilots would continue to pay the owners of the boats the enormous sums they are paying at present; there are 12 boats, and those 12 boats make up an aggregate of 700 tons; the average age of the boats is 15 years; we know what the value of 700 tons of property is; it would be putting it at a high figure at 10 *l.* a ton; that would be 7,000 *l.*, but that 7,000 *l.* is producing a dividend every year of 9,000 *l.*, which is quite out of proportion; that is a state of things which could only continue under a monopoly.

10162. You consider that the present expenses to which the pilots are put are extravagant?—I think that the division of the pilotage is a most unfair one.

10163. Do you think there would be more pilots under the voluntary system than under the present system?—I think at present there are too many pilots.

10164. Is it never the case that vessels are obliged to wait outside for pilots?—Yes, but not by reason of there being too few pilots, but because they are not afloat.

10165. You think the pilots are not at the stations at which they ought to be?—Yes.

10166. You believe that under the voluntary system they would be more anxious to get to the stations?—Yes; they would not be paid if they were not; I should take self-interest to be the great motive power, and I should form the whole system on that.

10167. The balance is between the self-interest of people to which they are not always alive, and the discipline which the superintendence of the board gives, and you think that self-interest is the stronger of the two?—I should certainly say so.

10168. We have had evidence that in some ports in which there is the compulsory system the pilots do not pay their earnings into a common fund, but that each man earns what he can get at sea, and that it depends upon his diligence and industry what he earns; if that was the case at Liverpool, would you consider that the objection to compulsory pilotage was done away with?—No, I do not see how that can be. If the captain has not the power of choice, it cannot depend upon the pilot's skill and diligence whether he is employed or not, because he must be taken whether he is skilled or unskilled.

10169. What I was pointing at was, his keeping at sea, and being at his station ready when wanted?—It would depend upon circumstances. If there was compulsory pilotage of that kind in a port where vessels rarely or never went, it is not likely that a man would always be about fishing on ground where there is no fish; but in the case of a port like Liverpool, where there is 60,000 *l.* a year paid in pilotage, it is monstrous to believe that under a voluntary system there would not be plenty of men to take their chance of getting the 60,000 *l.* a year; you must consider what employment there is to be got, and what the chance of remuneration is.

10170. You think it would be all in favour of the men keeping at sea?—No doubt it would be.

10171. Is it necessary to do away with the compulsory system which, we are told, is essential for the safety of vessels, and for the proper keeping open of the Channel when you could, by doing away with the payment into the common fund, arrive at the same result of making a man's earnings depend upon his diligence?—I say that his earnings must depend upon two things, his skill and his diligence; it is quite as necessary that a man's earnings should be made dependent upon his skill as on his diligence; I do not see how, under the compulsory system, you can insure a man's skilfulness so well as you can by making his employment dependent upon that skilfulness.

10172. You stated just now very fairly that a stranger is obliged to depend simply upon the license, and does not know whether a man is skilful or not; your answer does not bear upon the case of your own company, because you know the people?—It would be of great advantage to us, and to all parties having regular trades like ourselves, to have a choice; but to a man who cannot choose, simply because he has not the necessary information to make a choice, it is clear there is no good in giving that man a choice.

10173. *Chairman.*] But even that choice might be exercised through agents?—I am taking an extreme case of a man who had never been to port before.

10174. But a vessel would be consigned to some agent in the port, and the agent might make a choice of a pilot?—Yes.

10175. Mr. *Cave.*] Can you signal from a distance to Liverpool?—Vessels are signalised off Holyhead, a distance of 70 miles.

10176. Do strangers often signal to Liverpool as they are coming up?—Vessels are reported, as a matter of course, whenever the state of the weather permits signals to pass.

10177. You think it is possible in those cases for agents to send out particular pilots?—Yes.

10178. Mr. *C. Turner.*] But they could not send out pilots after they got the information?—I think they could do it. I do not think they would do it; the strangers would go on in the present way; but all the parties having important trades from Liverpool certainly would pick their men, and they would have a far better class of men than they have at present.

10179. Mr. *J. S. Hardy.*] In fact, a stranger would be rather worse off, because the best men would be employed?—Yes.

10180. *Chairman.*] You think that would be a great inducement to the pilots to exert themselves?—I think the pilots, as a body, would improve, and incompetent men would get so little employment that they would gradually drop off.

10181. And there would be an inducement to the whole body to exert themselves in order to get up to the prizes of the profession?—Yes.

10182. Under the present system there are no prizes in the profession; they are all upon an equality?—Yes, they are all upon a dead level.

10183. Mr. *Cave.*] But, practically, a stranger's choice would be more in name than in fact, would it not?—Yes.

10184. Supposing that is so, what do you say as to his taking the responsibility for any injuries committed while the pilot is in charge?—I think the captain ought to be responsible if there is any accident just the same, because it is not compulsory on him to take a pilot. It is the ordinary

Mr. *F. Leyland.*

27 May 1870.

case of a master and servant; principal and agent.

10185. Nominally it is not compulsory, but practically it is?—It is compulsory in the same way as it is compulsory upon any owner to employ a captain in a ship, simply because he cannot navigate the ship without him.

10186. An owner has a considerable choice in taking his captain; but a stranger coming into a port must take the first pilot that offers?—I do not think it is necessary that he should do so.

10187. But would not he, practically, take the first pilot?—No doubt he would, practically.

10188. Therefore, the choice is not real, it is only nominal?—In the case of a man not being able to choose, and not having the necessary information, the power of choice becomes of very little use; but he has none the less the power of choice.

10189. You still think that it would put the pilot in a position, which he is not now in under the compulsory system, of getting rid of his responsibility in case of loss?—I see no injustice in the owner being responsible under that system for the acts of the pilot.

10190. Do you see any injustice in his being responsible under the present system?—Yes, because no matter what a man's power of choice may be he cannot exercise it.

10191. You know that England is the only country in which the pilot is responsible?—I do not know whether that is so; I should much doubt it.

10192. In America and France, for instance, is it not so?—I do not think it is so in America. I have heard it stated, but I should be surprised to find it so on investigation.

10193. In New York is it not so?—I do not know about New York. It has been stated that the pilot is not responsible in the Mediterranean, but pilotage is not compulsory in the Mediterranean.

10194. With reference to the pilotage committee, how often do they meet to inquire into these complaints?—I do not know; I fancy they have regular times of meeting, but I cannot tell you.

10195. What were those cases of which you complained of the neglect of the dock board; were those cases in 1868 and 1869, or earlier than that?—No; we have lately sent in, more as a matter of form than anything else, our complaints to the dock board; but we have rarely paid any further attention to them. I recollect two gross cases some years ago; one was the case of the "Danube," where she was run on shore by a pilot in a most extraordinary manner, in which there was very heavy damage to the ship and cargo; and the other vessel was called the "Meander," she had barely got out of the dock before the pilot ran her upon a bank and she was sunk. This was in perfectly clear weather.

10196. In those cases did you get anything out of the pilot pecuniarily?—I never tried, as I thought it quite a hopeless thing. The loss in one case would have been about 120,000 *l.*

10197. In this list which I have here I see that there was a case in September 1868 of the "Albanian;" the pilot neglected to take the vessel to sea; a complaint was made, and the man was fined 5 *l.*, and reprimanded, in order to make good the loss; I suppose that you would consider that sufficient?—If it would make good the loss to the shipowners it would be satisfactory, but in that case the committee seem rather to have taken care of the other pilot boat. Surely it is a hardship upon the shipowners. It is clear the pilot ought to have taken the ship out, and he did not. What is 5 *l.* to a shipowner who has a ship detained worth 40,000 *l.* or 50,000 *l.*? 5 *l.* would not feed half the people on board the ship.

10198. You must take what the 5 *l.* is to the pilot?—Yes, but you must also take what it is to the shipowner. That shipowner might be compelled to take that man again, and that shipowner has a right to say, "I will not put myself in that position again; I will not have this man."

10199. Have you seen that return of the list of losses from Dungeness upwards?—No, I have not seen it.

10200. Where, out of a very large number of losses, only three occurred to vessels with pilots on board?—I have not seen it.

10201. If you heard of such cases as that, would it make you alter your opinion?—Not that sole fact, unless you can trace the loss clearly to the want of a pilot; but merely to state that there were so many losses, and that there was not a pilot on board, does not make the one the cause of the other. In the cases put to me by Mr. Turner I know there were other circumstances which were the real cause of the loss, and the fact of there being a pilot or not on board would have made no difference whatever.

10202. If you saw a return of 60 losses, 57 of which occurred without a pilot, and the other three with a pilot, would not it be a strong presumption that the want of a pilot was the cause of the loss?—No, I would not presume that, because it does not follow. It is assuming that a pilot must of necessity be a more skilled navigator than the captain, or that the presence of a pilot on board would have saved the ship; you have no ground for supposing that.

10203. It is somewhat remarkable that there were 57 losses without pilots and only three with pilots?—When you consider that the only vessels that are exempt from compulsory pilotage are vessels of the lowest possible class, it comes to be a thing no longer to be wondered at.

10204. *Chairman.*] The probability is, that in such cases the losses were due to other causes?—Yes, to being undermanned and underfound; and it is notorious that all the vessels that are exempt from the provisions of the Pilotage Acts are vessels of that class only.

10205. Of course the number of large vessels totally lost in pilotage waters must be very small, whereas there might be a large number of cases of collision, stranding, and other matters arising merely from the negligence of pilots?—Yes.

10206. Therefore the comparison would not be a fair one?—No.

10207. Mr. *J. S. Hardy.*] Is the proportion between the large and small vessels coming into the port, anything like the proportion between the large and small vessels which are lost?—No, I should think not.

10208. The proportion is not the same in number as in losses?—No.

10209. *Chairman.*] Can you give the Committee any idea as to what is the total amount paid by you for pilotage in the course of the year?—I have not gone into it carefully, but I should

Mr. *F. Leyland.*

27 May 1870.

should think it was between 1,800 *l.* and 2,000 *l.* a year.

10210. It has been pointed out to you by the honourable Member for Liverpool, that the present Bill does not do more than abolish compulsion, and that it does not compel the Liverpool authorities to break up their present system?—I do not see any reason why they should break up their present system, because unless they give me the pilots I choose, I will not take a pilot.

10211. The abolition of compulsion would supply you with a strong lever, with which you could go to the pilotage authorities and say, "These men are not competent to pilot my vessels, and unless you do what is reasonable, and let me have a choice of pilots, I shall withdraw my employment"?—Yes, that is the course I should pursue.

10212. At present you are at their mercy because you must employ pilots?—Yes.

10213. You stated that you estimate your own losses, from the negligence of pilots for the last 15 years, at a quarter of a million?—The loss of property on board my ships, as well as my own property, is to that extent.

10214. What proportion of that should you say was due to collision?—Very small; the greatest losses have been from stranding.

10215. In cases of collisions, there would be losses to other people as well, would there not?—No doubt; because if I have a pilot on board I do not pay for the loss.

10216. I believe, under the present law, you are not responsible?—Yes.

10217. By the new law you would be responsible if the pilot was negligent?—Yes.

10218. And you are willing to take that responsibility, if you have the choice of pilots?—Yes; if I have the choice of a servant, I will take the responsibility.

10219. Mr. *Price.*] I fancy that two or three of the questions put to you by one of the honourable Members, seemed rather at variance with the true principles of free trade; but, as I understand you, the limitation that you would put upon the power of the pilot to charge what he pleased, would be imposed upon him in exchange for a sort of *quasi* monopoly that he is permitted to enjoy?—That is so. It is this: that the trade of the pilot is confined to a number of parties having a license.

10220. If I understand your view with respect to the future system, you think it is desirable that for the convenience of shipmasters wishing to take a pilot and coming probably to a strange port, that there should be a certain number of men upon whom some competent authority should have stamped the evidence of their *primâ facie* fitness for that particular service, and that no other men should be permitted to practise in that service?—I think that it should be so.

10221. And you think that in consideration of this exclusive right to exercise this particular calling, they should come under an obligation to work at certain specified rates?—I think so.

10222. And that, therefore, it should be perfectly free to every master of a vessel to take a pilot or not as he pleased; but if he should take a pilot at all, he should take one of a certain competent class?—That is so.

10223. And that inasmuch as it was perfectly free for a man to be a pilot or not to be a pilot, if he chose to enter the service he should come under the regulations which were devised as well for his own protection as for the protection of the public?—Yes.

10224. In this case, does it occur to you that there is any violation of the principle of free trade where the obligations which are imposed are reciprocal?—I do not see that there is any infringement of the principle of free trade.

10225. Though you do desire yourself to be free as to whether you take a pilot or not, you think that no man should be allowed to practise as a pilot, unless he has passed some examination or other, and has given proof of his efficiency?—Yes; theoretically, it is not perfect freedom on either side, because, under the proposed system, a man is not allowed to take any pilot he likes, but must take him from a certain body, so that it is not theoretically free trade.

10226. The obligations are reciprocal, are they not?—No doubt of it.

Mr. William Inman, called in; and Examined.

Mr. *W. Inman.*

10227. *Chairman.*] You are Managing Owner of the Liverpool, New York, and Philadelphia Steam Ship Company, I believe?—Yes.

10228. What is the gross tonnage of that company's vessels?—About 35,000 or 40,000 tons.

10229. They ply from Liverpool to New York, Boston, and Halifax, calling at Queenstown, do they not?—Yes.

10230. How long has the company been in existence?—Twenty years.

10231. I presume you have had a very large experience in the management of steamers from the port of Liverpool?—Yes.

10232. And I believe you were a member of the pilotage committee of Liverpool for three years?—I was on the pilotage committee of the dock board, as a member of the dock board, between three and four years, until I retired from it.

10233. I presume you have had frequent opportunities of considering the question of compulsory pilotage?—Yes.

10234. You are a member of the Steam Shipowners' Association of Liverpool, are you not?—I was chairman of it last year and the year before.

10235. Were you present when that association came to the resolution in favour of the Bill now before this Committee?—Yes, with the exception of the third clause.

10236. You do not quite approve of the third clause?—No.

10237. Do you agree with the last witness with regard to the report he has given of the opinions of that association?—Yes, I do.

10238. Are you of opinion yourself that compulsory pilotage should be abolished, and that in its place there should be a voluntary system?—That is my opinion. I do not want to give that opinion as to sailing ships, about which I have not much knowledge; but on the whole, I think it is a proper system.

10239. The North American steam trade in Liverpool is in somewhat a different position to other trades in regard to pilotage, inasmuch as they

Mr. W. Inman. 27 May 1870.

they are allowed to chose their own pilots?—Yes, to a certain extent; we had some difficulty raised by the superintendent of the pilots upon the list of pilots which we wished to nominate. I think the Cunard Company have not adopted the system of nominating their own pilots; but the Allan Company, calling at Londonderry, and our company, calling at Cork, and the other companies, have been allowed to have their own pilots.

10240. You yourself exercise that privilege?—We have three pilots.

10241. And you take them on board at Queenstown, do you not?—Yes; we have three at Liverpool, and two at Cork.

10242. You take your Liverpool pilots out from Liverpool, and leave them at Cork, do you not?—We take the Liverpool pilots out by the outward-bound steamers, and they then come back with the inward-bound steamers, and the Cork pilots meet the ships at Cork, and do not travel with the steamers.

10243. What was your reason for wishing to adopt that plan yourself; was it in consequence of complaints you had made?—It was a compromise; I had a very great complaint against the pilotage committee, and I have been dissatisfied with their decisions; and I think it was indicated to me by the superintendent of pilots, that such-and-such things might be permitted, and I have adopted it as the best way "out of the wood."

10244. You think that all shipowners should have the same choice?—I think they all ought to have the same choice.

10245. I presume, however, that they are not all in the same position now to make terms with the pilotage authorities as you are?—I have heard that the pilotage committee has not permitted every one to have their own pilots; I understood that Mr. Leyland's firm were not allowed to have their own pilots; I do not know it of my own actual knowledge.

10246. Have you known many cases in which accidents have occurred when the vessels have been under the charge of compulsory pilots?—I will just state two cases, and grievous cases, which I had against the pilotage committee: one occurred in 1860, in which the pilot was undoubtedly drunk; we complained to the pilotage committee; our captain and our superintendent were present to state the charge; they were then ordered to withdraw from the room; the pilot, the surgeon, and the master of his boat, were then allowed to make their statements, after my people had been turned out of the room; the pilot was honourably acquitted. I made a complaint to the dock board of it; I think the honourable Member for South Lancashire was chairman of the dock board at that time. The pilot was again honourably acquitted, and I have not the slightest doubt that he was drunk, and the vessel would have been high and dry on the great Burbo Bank, if the captain had not sent him off the bridge, and taken command of the ship.

10247. When was this other case which you mention?—It was in 1866; it was a case in which a steamer was coming in at the Rock Light, and the captain asked the pilot to turn her at the Rock; the pilot refused to turn her, and took her further up the river; he then ran her stem on to the Canada Wall and broke her stem, and we had not only to pay for the repairs of our ship, but the dock board not only exonerated the pilot, but made us pay for the damage of the dock wall.

10248. Are you of opinion that the present practice of the pilot taking absolute charge of the vessel has tended to increase the number of accidents?—I would not, under any circumstances, allow a pilot to take charge of a vessel. I should consider that the vessels were unsafe the moment they were in charge of a pilot.

10249. Are you aware that the practice has grown up in American vessels, for the pilot to take absolute command of the vessel?—Yes.

10250. Are you of opinion that many accidents have occurred in consequence of that?—Mr. Guion's steamer was ashore in the Crosby Channel; the ship was in charge of the pilot; we do not take notice of other people's business.

10251. Have you read the evidence which has been given before this Committee, by the opponents of the Bill, upon that point?—I have only seen certain paragraphs which have appeared in the Liverpool newspapers.

10252. Are you aware of the effect of the evidence that has been given?—Yes.

10253. It is generally to the effect that the present law, which exempts owners from liability, has produced a bad result; I mean the exemption of liability in the case of taking a compulsory pilot?—I wish to take the utmost advantage of that that I can get; that is a point upon which we feel that if we are left free to choose our own pilots, we are willing to take the liability; but we are not willing to have a pilot forced upon us and then to be told that we are liable for accidents; I want it all or none.

10254. You are willing to take the responsibility upon yourself, if you have the choice of your own pilots, and if the employment is voluntary; but you are not willing to take upon yourself the responsibility if you are bound to employ a certain man?—Yes, that is so.

10255. Are you aware that the practice has grown up for the pilots to take complete charge of the vessels, and that that practice has conduced to accident?—I do not know that of my own knowledge; but I think it very likely that it has done so.

10256. What is your opinion as to the employment of pilots in the events of the pilotage being voluntary?—I think we should have the men better paid and better men for the service, and more efficient work done; because I think the money which we pay for pilotage does not go into the pocket into which it ought to go; that is one of our greatest objections to the present system, because, as far as I am able to learn, a small number of masters, having 12 or 13 pilot boats, do the work of the port of Liverpool, and are allowed to have an interest in the pilot boats; they do not often go to sea, and the pilot who does the work does not receive the remuneration he ought to have. I have ascertained from my own pilots, that they do not receive more than 180 *l.* a year for their services, and we pay the pilotage committee for each of those men 370 *l.* a year.

10257. Each of the men employed you pay 370 *l.* a year for?—That is what the pilotage dues alone come to; that is the case also in Cork; the difference between the amount we pay and the 180 *l.* goes to the 36 masters, as owners, for the whole port, who take turns at sea and do not do the work.

10258. Does not a portion go to other pilots who share and share alike?—What we pay must go in the same proportion to the boat.

10259. Have you any fear that the employment of

of pilots will fall off to any great amount if this Bill should pass?—Not in my case; we should never cease to take pilots.

10260. Do you think generally that their employment would fall off?—I do not think it would, unless there is another class of licensed pilots. I think the port of Liverpool has altered in the last five years, and I have it on very good authority now that the great majority of vessels over 400 tons register are in tow of steam-tugs before they come into pilotage limits.

10261. And when they come into the pilotage districts, do you think they will also take a pilot as well as a tug?—I cannot imagine an owner not satisfying his underwriter and the law by not having a pilot on board.

10262. Even though the vessel is in tow of a tug?—Yes.

10263. It has been stated here that if this Bill passes into law, the pilots will not go out in bad weather, and that there will not be an inducement for them to go and seek vessels in bad weather; is that your opinion?—It is not my opinion; I think that the coast off the port of New York refutes that, because we there meet our pilots 240 miles out.

10264 It is compulsory there, is it not?—It is compulsory, but the competition is very great there, and the first man who boards has the right to pilot the vessel.

10265. It is not a limited number of pilots?—No, and it is not a station system; but the boat that can catch up the vessel first has a right to her.

10266. They come out 240 miles to find your vessels, do not they?—Yes, and longer distances too.

10267. And they come out in all kinds of weather?—Yes.

10268. At Cork also we are told the pilotage is voluntary; and notwithstanding that, your vessels employ pilots, do not they?—I confess I am ignorant whether it is voluntary or not, but we pay much more than the pilot receives.

10269. Where does the pilot board you at Queenstown?—Just off the Daunt's Rock, or the Old Head of Kinsale.

10270. Do you have any difficulty in finding the pilot you have specially appointed?—No.

10271. What is the total amount paid by your company for pilotage in the course of a year?—We pay at Liverpool about 1,300 *l.*, and at Cork about 1,300 *l.* also.

10272. Sir *J. Hay.*] Are the rates as high at Cork as they are at Liverpool?—I think they are much the same.

10273. *Chairman.*] Is it your opinion that the pilots should get the whole amount paid in respect of their services?—I think so.

10274. Instead of its being paid over to the pilotage authority, it would be divided as you have told us?—Yes. I think if a larger part of the earnings of the best pilots went into their hands directly, instead of going into other hands as it does now, we should have an immensely improved system.

10275. Do you think that that would be an inducement to better men to come into the services?—Yes.

10276. The employment by large firms, such as yours, would be the prizes of the profession?—Yes.

10277. And that would induce men of a higher class to come in?—I think so.

10278. Whereas now there is somewhat of a dead level amongst all?—There is a very dead level, and it is a long time before a young man can get forward from his position as a journeyman.

10279. Do you agree in the main with the evidence given by Mr. Leyland?—I do.

10280. Have you been in the room during the time he has been giving his evidence?—Yes.

10281. Do you consider that that is the general opinion of the steamship owners of Liverpool?—I think that, on the whole, it is. At the meeting when this report, which was adopted and sent to the Board of Trade, was passed, the whole of the members were invited to be present, Mr. Leyland, the chairman of the association, was present; Mr. Bryce Allan, of the Canadian Mail line, was present; he is a member of the dock board; Mr. Harrison, a member of the dock board and of the pilotage committee, was present; I do not remember any more who were present. There was a long discussion upon it, but the decision was quite unanimous in favour of the Bill.

10282. What proportion does the steam tonnage in Liverpool bear to the sailing tonnage?—I cannot say; but I took out the particulars of the steam tonnage of the kingdom, and I find Liverpool is a fourth of the whole kingdom.

10283. And it is every day increasing in that proportion, is it not?—I think that the whole of the kingdom is 1,300,000 tons, and our Steam Association has 340,000 tons of it, and the total Liverpool tonnage is 410,000 tons, I think.

10284. And the proportion of the sailing tonnage owned at Liverpool is every day increasing, is it not?—Yes, very greatly.

10285. Mr. *Graves.*] Will you inform the Committee why the committee of the Steamship Owners' Association objected to clause 3?—I will read what they state in that report: "It is suggested that clause 3 should be withdrawn, as it appears probable that it will create great difficulty in certain cases. 1st. If a ship is in charge of an unlicensed pilot, and a licensed pilot applies for employment and is taken, inasmuch as his employment in that case is enforced with a penalty, it will be said that it is compulsory, and that the owner will have an immunity from the consequences of his act. 2nd. If a Channel pilot is engaged, say, to take a vessel from Liverpool to London, he will, under this clause, be liable to be superseded in every pilotage district which he enters." Our view is, that if a vessel is taken by what we consider to be a competent pilot, who might not be licensed, and another offered, the captain would still be under the necessity of taking the very man he objects to.

10286. You have now a perfect choice of pilots, both inwards and outwards, have you not?—As I said, it was a compromise.

10287. But in practice you have?—We insisted upon having our own pilots, but we had some difficulty in getting them. The superintendent came to me and asked me to take another man, and I did not choose to take that other man.

10288. You have pilots of your own choice now, inwards and outwards, have you not?—Yes.

10289. So that, so far as choice is concerned, you have not the same grievance as Mr. Leyland, the last witness, has?—No.

10290. Do you think it possible to carry that privilege

Mr. *W. Inman.*

27 May 1870.

privilege of free choice to any great extent in the port of Liverpool?—I think it might be done.

10291. I am speaking with regard to the steam lines?—I think it might be done.

10292. But not beyond the steam lines?—I think the efficiency of the pilotage service of the port might be made much greater, and I think that if the pilots had small engines on board their boats, and had to spend more money on their boats and less went into their pockets, there might be a much improved service, and such a thing might be done.

10293. How would you provide for the general shipping of the port; I can quite understand that large companies like yours can have a free choice, but how are you to extend it to the general shipping of the port; I should like to have your opinion upon that point; I speak now of sailing ships as well as steamers?—I think there would be a difficulty in doing that with sailing ships, because if a sailing ship comes up Channel, she is not always expected; she may be 90 days, or 100, or 120 days from Calcutta, and she must take the first pilot that offers.

10294. Do I understand that the first pilot that comes off at New York has the right to pilot the vessel in?—Yes.

10295. Then, practically, there is no choice at New York?—There is no choice at New York, and we have lost more money in New York harbour than in any place.

10296. Sir *J. Hay.*] Through what cause?—Bad pilots.

10297. Mr. *C. Turner.*] And the bad pilots sometimes go out the furthest?—Yes.

10298. Mr. *Graves.*] How long have you had the privilege of having choice of your own pilots?—It began soon after the last accident with the "Kangaroo" running against the Canada Dock wall (in 1867.)

10299. Have you had any occasion to make any complaint since you have had your own choice of pilots?—No.

10300. Before that time, had you occasion to make many complaints?—We were most discontented.

10301. You were on the pilotage committee three years, were you not?—I was.

10302. Did you do anything to reform this bad state of things?—No. I think the pilotage committee was very little better than a police court.

10303. But is not the police court a good place for investigation?—Yes.

10304. Is there not a weekly sitting of the pilotage committee to inquire into all complaints?—Yes.

10305. I believe it is the practice to send on to the dock board weekly a report of any case of a serious character that requires notice?—Yes.

10306. Are not all these proceedings carried on in public; at the dock board is not the discussion in public?—Yes; but you must know that the pilotage proceedings at the dock board are always got over as rapidly as possible, because there were four members upon the pilotage committee who were not members of the board.

10307. Whenever proceedings of the pilot committee are going on, the reporters are present, are they not?—Yes.

10308. And the proceedings of the dock board, through the pilotage committee, are taken in public, are they not?—Yes.

10309. Are you aware that the Underwriters' Association of Liverpool, through their chairman, have taken a totally different view from that which you have taken with regard to this matter?—Yes, I should think it is natural that they should; the underwriters defend themselves in every way they can where their own rights are involved.

10310. Do you think it a saving to them to retain the present system?—I think, under the present state of the law, every man admits that he must have a pilot on board every vessel; and everybody thinks if there is a pilot on board it hides a great many wrong doings.

10311. It is not that you think that the underwriter would have to make good fewer losses if the present system is retained?—No, I do not think the underwriters are people who have practically any knowledge of the matter; the underwriter serves his time to the underwriting business, and it is not likely that he has any knowledge of this matter at all.

10312. Have you formed any idea of the value of ships, and their cargoes and freights, that go in and out of Liverpool in a year?—It must be enormous: many millions, I have no doubt.

10313. It has been estimated at 400,000,000 *l.*?—I have no doubt that is so; I can believe it. I do not think that affects the question.

10314. You made some allusion to the application of steam as an improvement in pilot boats at Liverpool?—Yes.

10315. Would not that add considerably to the expense of working the pilotage service?—I do not think it would, though I speak off-hand. I think that if there was a fewer number of boats the better class of boats there would be, and that a better service would be performed.

10316. Do you think that steamers would be as suitable for running alongside the ships in a gale of wind and boarding, as a vessel under sail?—On the whole, I think, better.

10317. Could such an improvement as you have suggested be effected in any other way than by co-operation?—I think it is extremely likely; if the pilotage of the port were made open, you might have the largest merchants in the port joining together to have their own pilotage service for themselves and a definite number of ships.

10318. You would probably have your own service?—We do not require it; but I would not hesitate to become a co-owner in pilot-boats for the good of the pilot service; it might be a joint stock company who would advance money for it.

10319. But with the voluntary system, without some co-operation of the merchants and large shipowners, it would be difficult to carry out such an improvement as you suggest, would it not?—I do not think it would; I do not want to say anything against them, but my own chief grievance is that if the money, which in my opinion goes into the wrong pockets, were to go into the right ones, the system would be very much improved; it goes into the pockets of the masters and owners of the boats, who are said to get 12½ per cent. only upon their shares, but the shares are infinitely more highly valued than the property

perty is worth. For instance, it has been stated to me that the boatowners among themselves divide 9,000 *l.* a year, whilst anyone can estimate that the value of the boats is not nearly that amount.

10320. What would you consider a fair depreciation per annum upon these boats?—Ten per cent.; but there are a great many boats that are a great deal older than 10 years.

10321. What would you consider a fair percentage for insurance as a charge against income for these boats?—Eight per cent. per annum; that is a liberal allowance. There has never been a pilot-boat lost in the last 20 years.

10322. Eighteen per cent. you think would cover everything for depreciation and insurance?—Yes.

10323. Are you aware that in these divisions of income there is no deduction made whatever for depreciation, and that the shareholders, whenever called upon by the dock board to make good repairs, or to replace a new boat, are bound to do so?—I do not actually know it personally, but it is said to be so in the Act.

10324. Mr. *Price.*] Do you object to clause 3, which allows a licensed pilot to supersede an unlicense done?—The Steamship Owners' Association object to it.

10325. Is that objection a common one; is it taken by yourself for special reasons of your own?—I do not say I specially object to it, because I should never use an unlicensed pilot; the only objection taken is this, if there is one competent pilot on board a ship, they ought not to be called upon to take a second.

10326. You yourself would not personally take a pilot who was not a licensed pilot, would you?—I would not upon any consideration.

10327. Are you of opinion that though you may leave it open to men to take pilots or not, yet if you are to have a body of licensed pilots, if a man does take a pilot, he must take one of them?—To give steamship owners a safeguard, I would give him the power of saying I am not satisfied with the licensed pilot sent to me, therefore, I shall adopt another man until you come in and give me a good man.

10328. The honourable Member for Liverpool asked whether, as a general rule, there would not be great difficulty in applying to ordinary sailing vessels the rules that you might lay down with respect to steamers; I ask rather in the same view of the case, whether you do not think it is necessary if licensed pilots are to be retained at all, that they should have the priority of employment over those men who are not licensed?—I would always give it them as long as they were good men.

10329. Is it not your view that the power to take pilots or not as you pleased, would sufficiently secure that they would be good men?—Yes, I think it would; but that relates more to a channel pilot taking a sailing ship from Liverpool to London; it does not apply so much to a case like ours, or to the case of vessels frequenting the port of Liverpool inward and outward-bound, as it applies to cases of new vessels coming from Glasgow to Liverpool, or going from Glasgow to London or changing their port, during which they would pass through a number of pilotage districts.

10330. What I do not see is this, if a ship has to go from London to Liverpool, or Glasgow to Liverpool, through all these different pilotage jurisdictions, how would one man be able to discharge the pilotage duties in all those waters?—There are a great many persons, I believe, who regularly take it up as a business.

10331. And are they licensed for that purpose?—No, they have no licenses, and they are called channel pilots. An American captain comes in, and does not know the channel, and he takes some man who is hawking about as a channel pilot; he takes him on the faith that he is a channel pilot; he produces certificates from masters he has sailed with before, and the captain takes him on board on the faith that he knows the course.

10332. Excepting in a case of that sort, you yourself would not object to giving a certain exclusive privilege to men in each port who are specially licensed for the service of that port?—I most decidedly would give all the preference to licensed men, and I would not have any man employed who was not licensed; but I would not put upon the shipowners the necessity of taking the men they dreaded.

10333. That is leaving you free to take a man or not, as you please, but still giving to the special class, specially trained and specially certificated, the preference over men who have not been so certificated?—Yes; but a man who had made himself obnoxious on a previous occasion might present himself alongside and say, "You have another man going to help you to sea, you must take me;" that is the point that I object to.

10334. What you would desire would be two things: first, that you should not be compelled to take pilots if you do not wish; and, secondly, that though you should be limited to take on board a particular class, you should not be compelled to take any man that is forced upon you, but that you should have the option to select your pilot?—Yes, that is the view I take.

10335. And you think that under that system you would not only get an adequate staff, but a more efficient staff than you have now?—Yes; and the bad men would be weeded out, and none but the good men would remain.

10336. As to the question of boats, you do not think that, practically, it would give rise to any difficulty, but that in some way or other, either by private enterprise or by joint-stock enterprise you would find a sufficient number of pilot-boats under the free system you advocate?—I never knew a good business yet that did not find a good many competitors for it. I believe it would be a good business, and it would be much run after.

10337. Do you think it is desirable that the pilotage service and the boat service should be distinct from each other?—I should have it all one service.

10338. I thought you were drawing a distinction between pilots who had and the pilots who had not an interest in the boats, and that you thought that those who had an interest in the boats got more than their equitable share of the earnings of the whole?—I was rather speaking of what I considered to be the monopoly of the masters of the pilot-boats. My feeling, to a great extent, is that the injustice lies there. I think the pilots themselves who do the work do not receive the proper amount of money which they ought to receive.

10339. You said that you would be willing to join in establishing these boats, and would advance money to fit out these boats on a joint-stock principle, supposing a free system of pilotage

Mr. *W. Inman.*

27 May 1870.

were adopted. I suppose you contemplate that these boats would belong, not to the pilots, but to some other association who would use them in the pilotage service?—What I think might happen would be this: that 8, 10, or 12 good pilots might join together and say, "Let us have the best pilot-boat that can be had; let us go to some merchants who have confidence in us; let us ask for money to help us to build the boat that we may do a good pilotage service with it."

10340. You contemplate that the boats might belong to the pilots?—Yes, or the pilots may be employed on a salary.

10341. Whether the boats actually are raised in the name of the pilots or not, you think at the same time they should be under the control of the pilots; they should be either their own boats or the boats they have chartered?—Yes, it is so at Cork at this moment; certain merchants at Cork and Queenstown hire out a whale boat, and they say to the pilots, "Hand us over so much of your earnings and we will find you a boat."

10342. You are not at all afraid that the enterprise which brings the New York pilots so far out to sea to meet the ships would be abated by the establishment of a perfectly free system of pilotage?—I do not think it would.

10343. Sir *John Hay.*] You object to the master of the pilot-boat obtaining the lion's share of the pilotage contributed; why is it that some arrangement should not be come to other than abolishing compulsory pilotage, to make a more proper division of the pilotage earned between the pilots who are associated together in the boat?—I can only speak from what has happened in the pilotage committee of the dock board, and the dock board of Liverpool have never adopted it, and have never forced it on the pilots; they have been satisfied in keeping the system as it is, although, in my opinion, the system of conducting the trade of the port has certainly changed.

10344. That system must be regarded by the dock board without reference to changing the system of pilotage, whether compulsory or voluntary?—Yes, that is so. I do not know whether they have power in their Act to alter the renumeration. I think when the recent Mersey Docks and Harbour Act was passed there were certain special clauses inserted in it at the instance of the pilots themselves by which the pilots were very much protected as to their earnings, and I do not think the dock board has power to open that question.

10345. We are here to discuss the Bill which is before the Committee, and the honourable Chairman is here with the view of having it amended; it would be as easy to pass a Bill to amend the Mersey Docks Act as to pass a Bill to alter the system of pilotage, would it not?—I fear that the Steamship Owners' Association would be only too glad if the Government would amend the Dock Board Act.

10346. I gather from your evidence that you consider that the amendment of the law should not be in the direction which is proposed by the Compulsory Pilotage Abolition Bill, but rather that a change should be looked for in the laws which regulate the pilotage in the port of Liverpool?—I will answer the question by stating that I look upon this Bill as a step in the right direction. I do not think that it ends the question; but I think it will, if it is passed, bring the next point to a solution.

10347. What is the next point?—What I have been asked about; about the boats and the profits going to the masters and owners. I think that it would enable the greater part of the trade of the port of Liverpool to say, "We will not submit any longer to this system; we have the power given by Government to say whether we will take the men or not, and we will not continue that system until it is altered."

10348. Gathering, as I do from you that being a very large steam-ship owner, you are of opinion that it is desirable that pilotage should be continued, and that you think it desirable that your ships should always avail themselves of the services of the pilots, granting it to be possible that the Compulsory Pilotage Abolition Bill would deprive you of qualified pilots, should you think that such an alteration of the law as is proposed by this Bill, would be a better step than to take the other step, which you desire at once, without doing away with compulsory pilotage?—I have been examined chiefly upon Liverpool, and the Bill applies to all parts of the kingdom; there are other ports at which I think that pilotage ought to be free.

10349. With regard to the port of Liverpool, do you conceive that it would be desirable to take this step of abolishing compulsory pilotage, supposing it made the pilots less efficient, if you could get the grievance which you see cause to complain of remedied by an alteration of the law in another direction?—I like the freedem better.

10350. You would like compulsory pilotage to be done away with in the port of Liverpool, on the ground that you believe that the pilots would not deteriorate in consequence?—No, I should like compulsory pilotage to be done away with, upon the general basis that I do not like anybody to interfere with me in the management of my business if I can possibly help it.

10351. But you desire to have good pilots?—I do, and then I should choose my own.

10352. Of course, where a shipowner has a great number of ships, and is able to keep a large establishment, and have a sufficient number of pilots of his own, it would not so much matter; but with reference to the trade of the country, where either very important shipowners or great associations are not concerned, and where the owners are in different circumstances, do you think that they would be able to serve themselves as conveniently, and as satisfactorily, under the free system, as under the compulsory system?—I freely admit this; that if an American ship was coming in, or a foreigner was coming in past Holyhead, and he has never entered the port before, it is a desirable thing that he should know that there are a lot of properly licensed pilots to meet him; but the rest of your question simply turns upon whether the compulsory system, or the free system, would get the largest number of men upon the station, and I think a competitive system would bring the best class of men upon that station.

10353. A question has been raised by the previous witness as to how far freedom should be exercised to the pilots as well as to their employers; what is your view upon that point?—My view is that I would give the pilots their freedom.

10354. Would you compel them to have licenses?—I would compel them to be licensed men, but I would make both sides free.

10355. Would

10355. Would you limit them in number at all?—No.

10356. *Chairman.*] Do you think that there should be a regulated price?—Yes; virtually you have a regulated price, because with the old Liverpool Steam-Tug Company at the present moment I have an understanding, that if any of our vessels happen to be broken down in their machinery anywhere between here and Cape Clear or Cork, they are to take hold of the vessel if she wants assistance, with the understanding between us, that there shall be no salvage claims. I think the same would be the case with pilots.

10357. With regard to foreign vessels, do not you think it would be better to have a regulated price?—Yes.

10358. Sir *J. Hay.*] The pilots would be limited as to their charge, but the general trade would not be compelled to employ them?—With regard to their charge, they would be limited; but I think after the first six months or the first year it would soon get to be known by the brokers all over the ports that a certain pilot boat had been making extortionate demands, and they would make a black mark against it, and whatever ships came in they would not go near it; it would remedy itself in a year.

10359. The employment of a pilot if pilotage were free, would probably be avoided in fine weather, and would be desired in stormy thick weather for ships inward-bound?—I think in that case the pilot would do what he does now, that is, choose his ships. I have had complaints from my masters that at the present moment, under the compulsory system, the pilot chooses what ships he will go near; and the captain of one of my steamers which runs once a-week to the Bristol Channel, a screw collier, has complained to me over and over again that if there are two or three ships near, the pilot runs to the 1,000 tons ship, where there is a large pilotage to be got, and leaves him to run into port as he best can.

10360. Supposing the weather to be thick and hazy the pilot boat would not have that opportunity of selecting the ship; he would have to take what came near him; at the light-ship, for instance. In any case, in thick weather, the pilot only ascertains that the ship is near him when she is very near, and he has not the power of selection, because he cannot see the ship on the distant horizon?—In bad weather I cannot imagine a captain running the risk of ever approaching nearer than Holyhead, or Point Linas, or the Skerries, till he has made his pilot. I should say that a captain would stand off between the Skerries and the Isle of Man, and keep clear of everything until he made his pilot.

10361. Those ships that have an arrangement by which they take a pilot from Cork would have an advantage in making the passage, over other ships, would they not?—Yes, undoubtedly; those are steamers; but I consider a steamer, if she missed her pilot, would come up and anchor at the Bell Buoy; a master will pass Cape Clear, and he will, on his lead, and on his soundings, come up the whole of the Channel, and see nothing until he gets up to the North-West Light Ship; he can do that without any pilot. Last week we had a steamer going down with an outward cargo and the mails; she never saw anything after passing Point Linas until she made Cork harbour; they went down with the lead entirely, and she had no pilot on board.

10362. I understood you to say that you had no desire that your captains should pilot your ships?—No, I should never allow a captain to go without a pilot.

10363. Do you think it very advantageous to your interests, and the interests of the public, that the captains should be always furnished for a sea voyage with a pilot?—The captain always stands by the pilot; he hears the pilot give every order, and every order is considered by the captain before it is given; the captain forms his own opinion as to whether he passes that order to the engine-room or to the man at the wheel, or not.

10364. *Chairman.*] Then the captain is in sole charge of the vessel?—Legally, we are under compulsory pilotage; but virtually, I allow my captains to use their own discretion with the pilots.

10365. Sir *J. Hay.*] Is he not bound to avail himself of the local knowledge of the pilot?—No.

10366. The same regulations are observed by you as those in the Navy, with which I presume you are acquainted?—Yes.

10367. Have you any knowledge of the statements which have been made before this Committee as to the number of ships lost last year in the port of Liverpool, one with a pilot on board, and 50 or 60 without?—Very much must depend upon where loss begins and ends. I heard the statement, and I was much astonished. I can quite understand it if it is true; the explanation is this: that in all weathers the small sailing vessels take the Rock Channel, and the North Channel, no matter how the weather is, and if the wind happens to be against them they cast anchor; they are thereby exposed much longer to the fury of the elements than vessels in charge of pilots, which are towed in by steam-tugs and towed out by steam-tugs. Then, again, I know that there was a Cunard steamer on shore on one of the banks, and she was in charge of a pilot; a "Guion" steamer was on shore when in charge of a pilot, and last week there was the "Ida Maria," a large barque of 1,000 tons, on shore on the Burbo Bank, and I believe that she was in charge of a pilot. I can name something like 5,000 to 6,000 tons that have been on shore within the last winter, of vessels in charge of pilots.

10368. *Chairman.*] Then the comparison is an unfair one?—That comparison is an unfair one; the steamers were all got off again.

10369. What would be a total loss to a small vessel, would merely be a stranding to a bigger one?—Yes.

10370. Sir *J. Hay.*] I believe that one of those ships was in charge of a selected pilot, employed by the owner?—I think so; the Cunard Company, *i.e.*, it was a Cunard steamer, and I cannot speak for them.

10371. Have you lost any ships in charge of pilots?—Never; we have had them on shore in charge of pilots.

10372. Have your selected pilots lost you any ships at Liverpool?—We have lost no ships in the charge of pilots in Liverpool.

10373. Have you lost any in Cork in charge of pilots?—No.

10374. You mentioned that the rates at Liverpool under the compulsory system, and at Cork under the free system, are nearly identical?—Yes.

10375. Can you give the Committee any information with regard to the rates at New York?—I do

Mr. *W. Inman.* 27 May 1870.

I do not know without looking, but I think they are nearly the same as at Liverpool.

10376. Even for a long distance out?—Yes.

10377. Do pilots charge any more if they meet you 200 miles out?—They make no extra charge for bringing you in; it is simply competition for the job.

10378. Mr. *J. S. Hardy.*] With reference to the 3rd clause, unless you give a licensed man the power of superseding an unlicensed man, what interest is there to any pilot to get himself licensed; it is not a question which concerns Liverpool very much, but in the port of London there are a great number of unlicensed men, 500 or more, constantly at work, and unless you give the licensed men the power of superseding them, what is the object of getting the license?—I think I answered that question before, by saying that I would not allow an unlicensed man in the port to take charge of a vessel; it is only for channel voyages that I was speaking of.

10379. In the port, unless you give the licensed men the power of superseding unlicensed men, you would have no power of insisting upon the license?—I should not allow any unlicensed man to take charge of a vessel in the port.

10380. With your chosen pilots, when you are in compulsory waters you are free from liability for accidents and collisions, are you not?—Yes, we are; but I had a case decided last week in which that was no benefit to us. We had a peculiar case; we were the first steamer going to sea at the Bell Buoy; it was one of the mail steamers, and another steamer was overtaking us; both our steamers were in charge of a pilot, and a third coasting steamer was coming into port not in charge of a pilot; our pilot ported or starboarded, as the case might be, to get clear of him, and the following steamer ran into us, and the decision was, that both the vessels being in charge of licensed pilots, the licensed pilots should divide the damages.

10381. *Chairman.*] You paid your own damage?—It was awarded so last week, and that is a case which makes me think there is no benefit in having the immunity.

10382. Mr. *J. S. Hardy.*] Of course the immunity, as a matter of fact, if you start fair at any one particular time, is likely to be in your favour on one occasion, and against you on another occasion?—That is the position, and that is why we say that if you let us have free pilotage we will take the risk; but if you compel us to have pilots you must exonerate us.

10383. I see, according to the rules and bye-laws for boats and pilots, that the board may alter such apportionments, from time to time, in such manner as they think conduces to the interests of the service, therefore do you think it necessary to have an Act of Parliament?—If they have the power, I hope they will exercise it.

10384. This law of compulsory pilotage, which is so great a grievance, has done you so little harm in Cork that you were not aware till 10 minutes ago that Cork was a free pilotage water?—No, I was not aware of it before.

10385. Cork is an extremely easy harbour, is it not?—There is one rock in the middle of the entrance, which ought to be blown up; that is the Harbour Rock; and I think Daunt's Rock ought to be blown up; with those two exceptions, I do not think there is an easier harbour to enter in the world.

10386. How is it that the pilot rates in Cork are anything like the same as they are in Liverpool?—Because they take as much out of Englishmen as they can possibly get.

10387. Mr. *C. Turner.*] Bad as the Liverpool system is, Cork is worse, is it not?—I suppose that is so.

10388. You say that all these vessels that were on shore had pilots on board?—Yes.

10389. Those were selected pilots, were they not?—I believe Cunards' did not select their pilots two or three years ago.

10390. Do "Guions'" select their pilots?—I do not know whether they do or not.

10391. One great advantage that you anticipate from voluntary pilotage is, that you can select your own pilots?—Yes, we do now; I have not a personal grievance.

10392. Do you think that one great advantage to the trade would be, that parties could select their own pilots?—Yes, I think that would be so.

10393. Then, you think that it is because the pilotage system is not a good one that these vessels get on shore?—No; I instanced the names of those vessels within my own knowledge that have been on shore within the last six months against the statement that was read to me of one vessel in charge of pilots against 59 others not in charge of pilots.

10394. They spoke of vessels that were lost, and not vessels that touched the ground?—Yes, but I should look upon a vessel touching the ground as just as bad as if she were lost; it is only an act of Providence that she comes off again.

10395. Do you mean to say that whenever a vessel touches the ground, going into or out of the port of Liverpool in bad weather, that there is always blame attaching to the pilot?—No.

10396. Even in cases where you have the best selected pilots it will happen?—Yes, I do not want it to be understood that I am among those wishing in any way to find fault with the pilots who were on board; I am simply reasoning against the statements made to me.

10397. There is a great difference between a vessel getting on shore hard and fast, so that she cannot get off again, and a vessel grazing, is there not?—Yes, I do not attach blame to the pilot.

10398. As regards Liverpool and Cork, you say the vessels are not owned by the pilots at Cork, but they are at Liverpool; there is a great difference between the vessels of Cork and of Liverpool, is there not?—Yes, the Liverpool vessels are very superior vessels in that way, but I am not at all of opinion that they might not be improved upon; I think the New York schooners are finer than the Liverpool boats, and are much larger and more powerful.

10399. As regards Cork, in point of fact, the vessels are but little better than whale boats?—Yes, they are only whale boats.

10400. Therefore it is a very different thing to own a vessel like a Liverpool pilot boat and to own a vessel like a Cork pilot boat?—Yes, there is no doubt of that.

10401. You mentioned 9,000 *l.* as being given to the owners of the boats?—I was told to-day that the boats were valued at 5,600 *l.*, and that the amount that had come to the owners last year, after all the deductions had been made, was 9,000 *l.*; that is the net dividend upon the valuation taken by a shipwright of 5,600 *l.*

10402. From

10402. From your knowledge of the pilot boats, do you think that the whole of the pilot boats at Liverpool are not worth more than 5,000 *l.*?—I do not think they are. I think I remember hearing that one of the pilot boats was built by the Royden's for 3,000 *l.*, and 13 times that is 39,000 *l.*; but it will be within the power of this Committee to know how many years those boats have been running without any renewals.

10403. Are you aware that there is great supervision over the boats, and that repairs are required to be done when needed to make them perfectly efficient for this very perilous service, and if they are too old for the service and cannot be repaired, then the owners of the boats are required to put new boats on the station?—Yes; but my experience is, that there have been very few boats put upon the station for the last 15 years.

10404. You say, from your knowledge, that you do not think the boats are efficient for their duties?—I think they might be more efficient. I think they are very good boats, but I consider that they are small, and, in the present age, there ought to be a much better class of boats.

10405. Are you aware that they are nearly double the size required by the Act of Parliament?—Yes; but I remember a debate at the dock board as to whether the present class of boats should not be superseded by screw steamers, and there was a divided opinion as to whether there ought not to be screw steamers on the station.

10406. What I rather want to call your attention to is this: whether the boats are not in efficient repair, and fit for their position?—I have not any knowledge of that, because, to have that knowledge, one must send a shipwright surveyor to look at them; but I have an impression that the boats are very old, and so old that I do not like to state the number of years without inquiry.

10407. I suppose a boat may be very old and be nearly rebuilt in the course of that time?—Yes; but no doubt that affects the value of the stock.

10408. But so valuable as the pilot boat is, it would be worth very little for any other service. She is built for a particular service, and if a boat is built for a particular service it is very difficult to get her proper value for any other service?—If you got another pilotage establishment, and other parties were allowed to find other boats, their value would go down.

10409. You would not abolish that system entirely without any compensation to the owners of the boats, would you?—I am not so sure about that. I think anybody who has paid the high prices, which are at present looked for, for the shares in the pilot boats, ought to be remunerated; nobody knows the price of a pilot's share among the public; anybody who has paid the price is entitled to have compensation, most undoubtedly.

10410. You collected your estimation of the value of the pilot boats?—Yes; but I do not alter my estimate of their present value.

10411. You do not say that 5,600 *l.* divided by 13 would represent the value of each boat?—What I was told when I came into the room was this: "A pilot is going to give evidence." I am told that the total tonnage of the 13 pilot boats is not 700 tons; then I put it to any shipwright or any builder to say what value they would put upon the tonnage.

10412. That depends upon the build of the boat; you know by your steam-boats that the question of measurement is a question of build in many cases?—I should not think so in a pilot boat; I should think the pilot boats are measured just the same as a gentleman's yacht.

10413. They are not built to carry cargoes, are they?—They must carry a great many stores and men; if there are only 13 pilot boats for 240 pilots, if they are not large boats they ought to be.

10414. To put the cost at 3,000 *l.*, and there are 13 of them, that would be something like 39,000 *l.*?—Yes.

10415. Are not they as good as new now?—I do not believe they are.

10416. But they are in a state perfectly efficient for the purpose?—I should doubt that. If you employ pilot boats on a station which are 20 years old they are not perfectly efficient.

10417. You may have steamers 20 years old, which are nearly as good as new, may you not; they may have had new boilers, and other things; you would not like to value them as running boats in that way, but as running boats the pilot boats are efficient for the service?—But they have no competitors.

10418. Mr. *Norwood.*] Your steamers are iron, I presume?—Yes.

10419. And the pilot boat is wood?—Yes.

10420. Therefore there is a difference in the duration between the two vessels?—Yes.

10421. Mr. *C. Turner.*] New sails in old boats are as good as new sails in new boats, are they not?—Yes.

10422. They are as valuable in one boat as in another, are they not?—I have always been told by one of the best brokers in the City of London, Mr. Ridley, that whatever repairs are put in an old boat you can only add 50 per cent. on them to that ship's value. If you repair a vessel to the extent of 40,000 *l.* you have only a right to consider your vessel improved to the extent of 20,000 *l.*

10423. Mr. *Stevenson.*] What is the length of the pilotage district at Cork; how many miles of pilotage district does a vessel go through?—If it is not compulsory of course there is no distance, but I think it is about two miles from Roche's Point into the harbour.

10424. *Chairman.*] Did I understand you to say that you have taken a Cork pilot to Liverpool?—No, we do not; we take a Liverpool pilot to Cork; we simply receive a Cork pilot on board from the whale-boat, and discharge him into our own private steam tender.

10425. And for that you pay 1,300 *l.* a-year?—Yes.

10426. Notwithstanding that that is a voluntary pilotage?—I know that while we have paid some 700 *l.* a-year for a pilot, he has only received 220 *l.*

10427. Mr. *Stevenson.*] Who gets the rest?—The person who sends him out.

10428. I have before me the pilotage rates of Cork, and they quite confirm what you have said. I have calculated what the probable tonnage of your ships would be, and it does amount to as large a sum as for Liverpool pilotage; is not that so?—Yes. Our pilotage at Cork in 1867 was 1,130 *l.*; in 1868 it was 1,181 *l.*; in 1869 it was 1,309 *l.* Liverpool, for the same time, was, 1867, 1,253 *l.* 10 *s.*; 1868, 1,171 *l.*, and 1869, 1,306 *l.* 10 *s.*

Mr. *W. Inman.*

27 May 1870.

10429. And for the same number of visits to each port?—Yes.

10430. Mr. *Grieve.*] Is there no other service performed at Queenstown besides pilotage?—No.

10431. *Chairman.*] Notwithstanding pilotage is voluntary in Cork you have been content to pay from 1,100 *l.* to 1,300 *l.* a year for the services of pilots?—Yes. We like to give our captains the opportunity, and we should not like the public to feel that we had not pilots on board.

10432. Is not that very strong evidence to the effect that vessels will continue to take pilots after the Bill has passed into law?—That is my opinion.

10433. I think you stated a strong opinion with regard to the present system of boat owning, and that the large payment now paid by pilots to boat owners is unsatisfactory?—I think so.

10434. And you look upon the present Bill as one step towards breaking that down?—Yes.

10435. I believe the system of boat owning at Liverpool is purely local?—Yes.

10436. It does not affect the country generally?—No.

10437. Therefore, it must be dealt with locally?—Yes.

10438. If compensation is to be given to the owners of these vessels, it must come from some local source, I presume?—I think it might.

10439. And it ought not to be dealt with in a general Bill?—Every one likes to get out of the public purse whatever they can.

10440. You think there is not much prospect of the public finding the money which is necessary for dealing with the whole question of the boat-owning of Liverpool?—It is hardly a question which I should like to give an opinion upon here.

10441. Did you say that you owned a vessel going once a month to Cardiff?—Once a week.

10442. Does that vessel take a pilot on board?—Yes, but they complain very much that the pilots do not offer.

10443. You are aware that pilotage is voluntary there?—I have not heard of the Cardiff end at all; I have heard a complaint made that the pilots do not offer off Point Linas coming in; that they take a deeper laden vessel, on which they can get a deeper draught of water.

10444. Your instructions to your captains are to take pilots, I believe?—Yes.

10445. Mr. *Graves.*] With reference to the value of shares in these boats; are you aware that the present owners have paid an average of 120 *l.* for every share they hold?—No, I do not know that.

10446. Are you aware that the last price is 118 *l.*?—No.

10447. And that 20 years ago it was 125 *l.*?—No, I did not know that; these figures are never published to the public in Liverpool. I do not know anybody who knows anything about the pilotage system except those who rule it; no knowledge ever gets into the paper or before the public, of what the value of the shares are, or how the money is divided.

10448. If this has been given in evidence, would it satisfy you that the shares have not been run up in any way, such as you state?—No; but I think there are persons deriving dividends from the pilot boats who ought not to be receiving them.

10449. Are you aware that no one can hold a share in a pilot boat except he is a pilot?—Yes; but a pilot may die, and his family may, under certain circumstances, be allowed to retain shares.

10450. Only under the sanction of the pilotage committee, I think?—Only under the sanction of the pilotage committee.

10451. Can you see much distinction between the interest which an owner of a share so bought would have, and the interest which the owner of a railway share would have, if bought in the open market; can you see any distinction if it comes to be a question of compensation?—No, I do not see any difference; he has paid his money for it. I do not mind how the compensation is made; but the simple basis of my view is this: my feeling is, that we should have a better class of pilots if the earnings of those pilots legitimately went towards their payment, and not to the payment of owners who do not do the work.

Mr. John Sutton Marwood, called in; and Examined.

Mr. *Marwood.*

10452. *Chairman.*] You are a shipowner and ship broker at Liverpool, I believe?—Yes.

10453. I think your vessels are mostly engaged in the coasting trade, and are of a small class?—Yes.

10454. What is their average tonnage?—From 80 to 150 tons.

10455. How many vessels do you own and manage?—I have shares in about eight, and I manage, as agent, about 150.

10456. Those vessels are mostly engaged in the coasting trade?—Yes.

10457. Occasionally they run over to France and the Continent?—Yes.

10458. Those under 100 tons, when engaged in the coasting trade, are exempt from pilotage, I believe?—Yes.

10459. And those above 100 tons are compelled to take pilots?—Yes.

10460. When the 100-ton vessels go across to the Continent they are bound to take pilots, are they not?—Yes, no matter what tonnage they are.

10461. What is the provision; is it that they should be once in six months to the Continent?—If a vessel was to go away from Liverpool to any port between the Elbe and Breste, or anywhere foreign (but I speak more of the coasting trade than foreign), under the Merchant Shipping Act between the Elbe and Breste is coasting, but under the Liverpool Act it is foreign; if she goes from Liverpool to-day, and she comes back within the six months, she is liable to foreign rate inwards, although she may come back from a coasting voyage.

10462-3. Are the masters of these vessels thoroughly competent to pilot the vessels in?—Yes, they have been brought up from boys in the coasting trade; in fact, the foreign trade have to depend upon the coasting trade for their men.

10464. As a rule they are thoroughly acquainted with the navigation, are they not?—Yes.

10465. It has been stated that the navigation of the Mersey is exceptionally difficult?—I have asked the question from 30 or 40 that have come in contact with me at my office, and I find that Liverpool is no worse now than it has ever been. It may be that the channels are altered, but still the buoys and lights are kept up with equal efficiency as they were 20 or 30 years ago; so that the navigation is not more dangerous than it was then.

10466. Is it difficult as compared with the navigation of other ports?—No. They have said to me that they would rather be without pilots than with them.

10467. Do you consider it a hardship that a vessel should be compelled to carry a pilot?—Yes; especially in the cutting times we have now with the steamboats.

10468. How many of your coasting vessels are above 100 tons?—Those that I am agent for are mostly above 100 tons.

10469. Those are compelled to take pilots, are they not?—Yes.

10470. And yet in such cases are the masters equally competent to navigate, as in the other cases?—Yes, they are.

10471. I presume that in other ports to which they go on the coast they are free from pilotage?—No; in some places they have to pay pilotage along the coast.

10472. Which ports do they run to mostly?—The West of England is the most that I am connected with. In the West of England, and between the Elbe and Brest and Yarmouth up to Newcastle, and *vice versâ*.

10473. Do they run in the Bristol Channel at all?—Yes.

10474. There they are free from pilotage, are they not?—Yes.

10475. And yet the same vessels when they run into Liverpool are compelled to take pilots?—Yes, I have been very strong in the pilot committee upon that point; I think every voyage should stand upon its own merits. If I send a vessel over to Hamburg and she can get no cargo, she will then come to the west of England to load clay, freights on which would be 5 *s.* per ton; and the pilotage charged as if coming from foreign, 8 *s.* or 9 *s.* per foot, which would be 5 to 8 per cent. on gross freight.

10476. You find that they charge very heavy in proportion to the freight of the vessel?—Yes; I am at present speaking of the inward pilotage, I am not dealing with the outward pilotage; if a vessel comes in foreign, that vessel pays 8 *s.* or 9 *s.* a foot, as the case may be. I sent a vessel out yesterday coastwise, and they mulcted me in a foreign rate of pilotage because she came in foreign, instead of charging me the coasting rate, which is half the foreign rate; that vessel paid 2 *l.* 8*s.* pilotage, which was 3 per cent. upon the value of her freight.

10477. The same vessel, if she were employed in the coasting trade and were navigated by the same master, would pay no pilotage, would she?—Yes; it is very hard upon us just now, where we are cut up by the steamers; we cannot make a living.

10478. Have you considered what would be the effect of the Bill before the Committee upon the pilotage system of Liverpool?—I will say candidly, that there is not a body of men more efficient than the pilots of Liverpool are; but at the same time I am of opinion, both with Mr. Leyland and Mr. Inman, that the pilots themselves, as men, do not receive the remuneration they ought to receive for what they do.

10479. Have you had an opportunity of ascertaining their opinions?—I have; and I am perhaps rather personal upon that, because I happen to have two or three relations as journeyman pilots at the present time.

10480. What do they complain of?—They complain that they have not the remuneration given them that they earn as men.

10481. If this Bill before the Committee passes into law, what, in your opinion, will be the general effect upon their employment?—I should say, with the efficient boats they have now employed, that a voluntary system, where the men would take a larger proportion than what they do now, would answer admirably.

10482. I presume, a certain number of vessels like your own would discontinue taking pilots when no longer forced to do so; but take the larger class of vessels engaged in the foreign trade, what is your opinion with regard to them?—I should say that not one out of 100 coming from foreign ports but would employ a pilot whether it was voluntary or compulsory, and it would be equally so with those bound outwards.

10483. You think the matter may be left entirely to the demand and supply?—Yes.

10484. And it may be left to the master to decide whether he shall take a pilot or no?—Yes.

10485. If that is done, do you think there will be ample employment for a very large staff of pilots?—I should think so, and there would be equally efficient men as there are now. You will find a few, out of such a body of men as those, that may be called black sheep; but taking them as a whole, there is not a body of men more competent for the service of the port of Liverpool than the pilots at the present time. I have no personal grievance against them, except as regards the compulsory payment of what I think ought to be either optional or voluntary.

10486. In your opinion, it ought to be left to the owner to say whether he would employ a pilot or no?—Yes.

10487. Mr. *Graves.*] You say that the amount of the pilotage rate is a hardship on you?—Yes, on the coasting trade.

10488. And you desire to be free from it?—Yes, I desire to be free to a certain extent; let it be voluntary whether we take one or no.

10489. The meaning of that would be that you would dispense with the service of a pilot?—We are differently situated with coasting vessels to what they are in the foreign trade; our men know the coast. If it is blowing hard coming round Holyhead, they will put in there, and wait the opportunity of coming in; nine out of ten do that.

10489*. In practice, you desire to save the amount of pilotage that you now pay upon your vessels?—Yes.

10490. Supposing that every owner of the same class of vessels that you have charge of, took the same view of the question, would not the revenue of the pilots of Liverpool be reduced to that extent?—It would be like everything else; we are living in different times to what we did

Mr. *Marwood.*
27 May 1870.

did 20 or 30 years ago; competition is now so great, that everything must be done to cut down to the lowest figure to make the two ends meet.

10491. It is not so much the fault that you find with the pilots, as with having to pay the pilotage rates?—That is it; I think it a hardship, and if the vessel comes coasting, let it be charged coasting rates.

10492. Are you aware that the dock board came to Parliament, some four years ago, to seek to alter that law?—Yes; and I spoke to the Member of Liverpool at that time about it.

10493. Are you aware why that Bill was withdrawn?—I cannot say that I can state it from *bonâ fide* facts, but I did hear it at the time; it has escaped my memory.

10494. You are aware that the dock board were desirous of constituting every vessel coming coastwise a *bonâ fide* coaster?—Yes.

10495. And every vessel coming foreign, a *bonâ fide* foreign vessel?—Yes, I am aware of it; because I was three or four times up before the pilotage committee upon the same subject.

10496. Are these the only two real objections that you have against the present system?—Yes; because the staff of pilots could be sustained under another superintendence, as well as it is now.

10497. Mr. *C. Turner.*] As a coaster, you do not pay a pilotage at all?—Yes, I pay wrongfully; if I was going to a shop to buy a yard of silk, and they gave me a yard of calico, I should feel myself aggrieved; if I go a foreign voyage, and come back a foreign voyage, it is well enough; if I go a foreign voyage and come home coasting, I am aggrieved.

10498. If you run exclusively coastwise you do not pay?—If a vessel is 100 tons I do not pay, but if it is above 100 tons I would pay, and I do pay; but I say that coasting vessels ought to be exempt.

10499. You do not agree with Mr. Leyland that the pilotage service would be more efficient if there was a voluntary service?—I never was a free trader.

10500. You do not agree with that?—I say that free trade and voluntaryism are two different things altogether.

10501. Mr. *Grieve.*] Is a coaster required to be six months constantly in the trade to be exempt?—That is the restriction the pilotage committee put upon it, and I think it is a wrong one. You will find a clause that no vessel is to be considered a coaster unless she has been *bonâ fide* engaged in the trade for the space of six months. A vessel built at Workington comes into Liverpool in ballast or with a cargo; she is liable for foreign rates.

10502. Supposing you are a coaster and you get a voyage to Havre, she is classed as a foreign vessel when she comes in?—Yes.

10503. *Chairman.*] A Table has been laid before the Committee showing the difference between the number of vessels lost in the Mersey when in charge of pilots, and when not in charge of pilots; can you give any explanation of that?—I do not think myself that that statement is correct. I listened when you put the question to Mr. Leyland and the other gentleman, and I think it was one foreign vessel against 59 coasters. I should say, most decidedly, that it is wrong; that the majority of vessels that would be lost in coasters would be the flats coming from the River Dee to Liverpool, which get ashore on the banks, something like you see the billyboys or barges coming down the River Thames.

10504. They are lost for reasons quite independent of pilotage?—Yes.

10505. It has nothing to do with the question of pilotage?—No.

10506. I think your largest vessel is 158 tons, is it not?—Yes.

10507. When that is loaded, what would it draw?—From 12 to 13 feet.

10508. Then they would pay as much pilotage as a vessel of 200 or 300 tons?—Yes, according to the length of the vessel; the longer the vessel is, the less water she will draw. I have argued that question before the pilotage committee. At one time, when I had a small vessel coming from St. Michael's with a 70 *l.*-freight in, and a barque was coming in with a 950 *l.*-freight, I paid the same pilotage as she did.

10509. And it tells specially upon vessels of your class and size?—Yes.

10510. Mr. *C. Turner.*] The statement of the losses with pilots and without pilots, was taken from Admiral Evans's special report?—Yes; and he would take flats.

10511. *Chairman.*] And he would not take in the number of vessels stranded, but which were not lost?—No.

10512. I presume you are of opinion that there should be a system of regulated pilots, and a licensed corps?—Yes.

10513. But that the employment should be voluntary?—Yes.

10514. Would your vessels require pilots?—As a general rule, they would not. The vessels of 150 tons, or 200 tons, may be coming from the Mediterranean, and nine out of ten of the captains have been up night after night, and they would be glad to be relieved from the responsibility when they came into pilotage ground.

10515. In such cases, they would take pilots?—Most decidedly.

10516. But they would not take pilots when engaged in the coasting trade?—No.

Mr. Henry Jones, called in; and Examined.

Mr. *H. Jones.*

10517. *Chairman.*] You are a Licensed Pilot of the port of Liverpool?—Yes.

10518. And you have been so since 1855?—Yes.

10519. For the last four years you have been attached to the Inman Company as one of their pilots?—I have.

10520. You join their vessels and take them from Liverpool to Queenstown?—Yes.

10521. And back again?—Yes.

10522. Is your whole occupation confined to that?—My occupation is confined to the steam ships.

10523. You receive only the same amount which the other pilots in the port receive?—The same amount.

10524. Notwithstanding that the payment made in respect of your services by Messrs. Inman is considerably greater?—Yes.

10525. They pay 340 *l.* a year for your services,

services, whereas you only receive 170 *l.*?—About that.

10526. That is the average of your earnings?—Yes.

10527. Have you formed any opinion with regard to the comparative merits of a voluntary and compulsory system of pilotage?—I have.

10528. What is your opinion?—My opinion is favourable to the non-compulsory system; I am for this Bill; that is the best thing that ever stepped in our way to reform the present system.

10529. Do you think that under the voluntary system there will be a sufficient supply of pilots for the service?—I feel perfectly sure upon that point; that is if the men are allowed to buy their own property, and to sail in their own property, but not to be tied to the present expensive property which they now sail in.

10530. That is a question not dealt with under the present Bill; the Bill does not break up the present system of boat ownership?—Then I think they will break it up themselves.

10531. You think the result of this Bill will be to force upon the pilotage authority of Liverpool the necessity of breaking up that system? I think so; I believe it would be judicious on their part to do so, to give the pilot a fairer chance of receiving his own earnings.

10532. You think the inevitable result of this Bill will be to compel the local authorities of Liverpool to break up that system?—I do.

10533. What proportion of your earnings do you consider goes to the owners of the boats in this manner?—All outside the 180 *l.*

10534. I think a portion of the payment made by Messrs. Inman in respect of your services goes into a common fund to pay the other pilots?—It goes to make up the shares of the other men and the boat owners; those are the only two parties; we share alike as pilots.

10535. What proportion do you consider of the whole earnings goes towards the boat owners?—We pay 12½ per cent. for sailing in a boat.

10536. In your opinion the whole of your receipts ought to go to the pilots themselves?—Yes, with a fair remuneration to the boat owners.

10537. But without any sum for the property in the boats, beyond the actual value of the boats?—The actual value of the boats.

10538. If the whole amount of the pilotage was paid to the pilots, would there, in your opinion, be much greater competition than now for the pilotage service?—There would.

10539. And you think that a better class of men on the whole would come forward?—The inducement would be greater, and the men would be more liable to embrace the advantage offered.

10540. What is your opinion with regard to the class of vessels that would continue to take pilots after the Bill has passed?—Very few would care about running the risk of not taking pilots, unless outwards. With the outward-bound there would be a great chance of their availing themselves of the opportunity, and with the inwards, many would not avail themselves of the opportunity.

10541. With regard to the inward vessels, you think that by far the greater proportion would continue to take pilots as they do now?—Yes, as they do at the present time.

10542. But in the case of outward vessels, you think that the larger proportion would not require pilots?—The outward-bound ships might do so, but I do not think that many of them would, unless they were small vessels.

10543. You have no fear yourself of any substantial falling off of employment?—I have not the least fear.

10544. Have you consulted with many of the other pilots, before coming here?—With a great number, half or more.

10545. Should you say that the opinion of these men whom you have consulted, coincides with your own?—It coincides perfectly with mine.

10546. And I believe a large number of them are very dissatisfied with the present state of thing?—There is a general dissatisfaction throughout the business, owing to the proportion of the pilotage which is allotted to the working men themselves, after all demands are paid.

10547. You think they would be better off if this system at Liverpool was broken up?—They could not be worse off.

10548. I think in the course of another year they will lose a considerable sum of money, which is now paid by the Government in the shape of compensation?—In 1872 it ceases.

10549. That is the compensation for the differential rates on foreign vessels?—Yes.

10550. When that payment ceases they will be worse off than they are at present?—Yes, I daresay they will be 30 *l.* a year worse off.

10551. Mr. *Graves.*] Is the dissatisfaction confined altogether to the mode of boat owners?—To the boat owning.

10552. On all other points they are satisfied?—No, they are not.

10553. What other points would there be on which they are not satisfied?—There is the dissatisfaction from their being unfairly dealt with on most occasions. A great deal of partiality exists; that is a dissatisfaction.

10554. In what way would you get rid of this partiality by this Bill?—The only way would be by doing away with the present system of having three masters to each boat, and have a proper recognised man paid annually who should take no part or interest in the pilot boat whatever. Let him be the authorised acknowledged person appointed by the dock board as the master of the boat.

10555. Are you aware that that system is at work in the Thames; that the pilot cutters are all commanded by the masters appointed by the Trinity House, and that is very much condemned, and the pilots are very much dissatisfied with it?—I am not aware of that.

10556. What system would you substitute for the present one; what in your own mind is the kind of system you would advise as an improvement?—To allow a dozen or 16 men, non-owners at the present time, the right to build a boat according to the present value, and sail in the boat and reap the benefit of the boat.

10557. And go wherever he thought he could be most useful in picking up ships?—Yes; extend the distance right down the Channel to Cork, if he wished.

10558. And to be practically free to go where he liked; is that what you mean?—Yes, to keep at sea; he would do that for his own benefit; to go out as often as he does, and pick up ships wherever he could, according to the system in New York; and that system acts well in New York.

Mr. *H. Jones.*

27 May 1870.

10559. There, it is quite compulsory, is it not?—I believe so.

10560. So that it is possible to have the system you are aiming at under the compulsory system?—I do not know whether it would be so under the compulsory system.

10561. Do you think that the four stations' system which is at work at Liverpool, is the best that could be adopted for the interest of the port itself; I do not speak of the pilots; looking at the interest of the port and the shipping that navigates it, do you consider it the best system that could be adopted?—I think to extend the system would be an improvement.

10562. Still you would have stations in Liverpool?—You might have an outer and an inner station.

10563. You would have two in the place of four?—Yes, two instead of four; and let the pilots cruise further down Channel; wherever they could offer the best facility to the captain, or whoever might want them.

10564. Are you an owner of any pilot shares?—No.

10565. Why do not you become an owner?—Because the shares are out of my reach, and I should not like to give the amount, and it is the general opinion among the present non-owners that the shares are run up too high for the present pilots with the dark cloud that is hanging over our business under the present system.

10566. Do you mean with the Bill?—No, independently of the Bill. In 1872, we lose 30 *l.* a year.

10567. It has been stated here by several witnesses that part of the objection to the boat-owning scheme is, that the shareholders get too large an interest?—They do.

10568. If that was the case, would not that be an inducement to buy shares?—No, I should not like to invest.

10569. Are you aware that the dock board has it in its own power at present to make any alteration or division of the shares as between the journeymen pilots and the boatowners?—I would sooner the Government did it.

10570. It is not a question of sooner; I suppose if the dock board did it, you would be as well satisfied as if the Government did it; but are you aware, that the dock board has it in its own power to make any change which is thought desirable, in the appropriation of shares, between the boatowners and the journeymen pilots?—I am not aware of that.

10571. I suppose you would accept such a change, if it was in your favour, as soon from the dock board as from the Government?—Yes; I am perfectly satisfied to meet the owners in a fair way.

10572. Has the dock board ever been asked by the journeymen pilots, to reconsider the distribution of shares, to your knowledge?—No, it would be considered out of place for me, or any other person in connection with the service, to ask that; in fact, the pilots are so tied down in Liverpool, that it is treasonable to give utterance to any such sentence as that they are dissatisfied in any pilot boat.

10573. You won one of the pilot prizes in getting hold of Messrs. Inman's pilotage; you are one of their pilots?—Yes.

10574. Is that an easier life than the regular pilot service in Liverpool?—I do not consider it so, taking the year all round.

10575. I suppose your pilotage responsibility is confined altogether to your own district?—Yes.

10576. And after you leave it, you have no responsibility whatever?—I have no responsibility beyond my own limits.

10577. Do the whole of the earnings go to the general pilot fund of boat No. 12, to which you are attached?—Yes.

10578. Are there no other advantages and perquisites attaching to the position of a pilot in Messrs. Inman's service?—No.

10579. Is there no board money?—The company provide board at Queenstown, while I am waiting for the next ship.

10580. *Chairman.*] Can you get any pecuniary advantage whatever?—I can get no pecuniary advantage whatever; I have to pay for eating in the pilot-boats, though I do not see one meal.

10581. Mr. *Norwood.*] Who eats the food you pay for?—Those that sail in the pilot-boat, has been a sore grievance amongst myself and my brother pilots in having to do that; we asked the pilot board to exempt us from that charge, and they refused to do so; we never complained of paying for the right of sailing in the boat, and the accommodation; but we did complain of being charged with the disbursement, which our fellow pilots said, at the time, they did not think fair.

10582. Mr. *Graves.*] You say that you have consulted the pilots, and that the pilots generally adopted your view, that the whole of the earnings of the special pilots, with the exception of a reduction for remuneration of the management, should all go to the special pilots themselves?—No, I never heard the thing breathed, either by myself or by my brother pilots in the other boats.

10583. *Chairman.*] I thought you meant that each individual pilot should have the earnings in respect of the vessel he piloted?—No; let them be attached to a boat and all divide the pilotage, one with the other.

10584. Mr. *Graves.*] You do not want to make a different principle to the one on which they are working?—Let them all be workers.

10585. *Chairman.*] When there is a man attached to a boat employed in a particular service, do you think he should have the earnings which he makes in respect of the vessels he pilots, or that they should go to the vessel to which he is attached?—It should go to the vessel to which he is attached, and they should share and share alike. I am always willing to share my pilotage with them or any one that will share their pilotage with me.

10586. Your main objection to the present system is the amount of money that goes to the boatowners?—The amount of money that goes to the boatowner, and those that do not earn any pilotage whatever.

10587. Who are those?—The masters of the boats. I am willing to share my pilotage with those who share their pilotage with me.

10588. You think that too large a proportion goes to the masters of the boats?—The master and the owner.

10589. Does the master get more than the pilot's share?—He receive the pilot's share.

10590. Mr. *Graves.*] And only the pilot's share?—And 25 *l.* a year from the owner. I do not know whether it is an established payment or a perquisite, or what.

10591. *Chairman.*]

10591. *Chairman.*] Did I understand you to object to the present system, which compels the boats to keep their stations so closely?—I should think they should extend their district.

10592. You think they should cruise further off?—Yes, I think they should cruise further off, and, as often as a vessel got rid of her pilots, she should come into port and pick them up, and proceed to sea again.

10593. Would you find many vessels who would take pilots earlier down the Channel than they do now?—Yes.

10594. Where do you think the pilot vessels would cruise; would they cruise as far down as off Queenstown?—They would cruise as far down as Tuskar or Queenstown if they thought they could fall in with vessels there.

10595. Do you think many vessels would take pilots off Queenstown?—A great number; I have every chance of knowing that; if the captains of vessels could get a limited pilot in Queenstown they would be very glad.

10596. You know that from masters of vessels calling in there for orders?—Yes.

10597. You think that in that way larger receipts might be made by the pilots?—I think so.

10598. The charges would be larger?—I think in Cork they charge what they term a rate of distance money, but they cannot enforce it; it is a kind of voluntary charge which could be brought into the system with respect to Liverpool.

10599. You would extend the charge for more extended voyages?—Yes.

10600. Mr. *Graves.*] How would you contrast the navigation of Queenstown with that of Liverpool; do you think it is as difficult of access as that of Liverpool?—I do not think it would be right for me to answer the question.

10601. You go in and out of Queenstown every week, do you not?—It is very easy of access.

10602. We heard that the same rate of pilotage was paid in Queenstown as was paid in Liverpool?—Yes.

10603. From that fact, one would conclude that the pilot in Queenstown is much better paid than the pilot in Liverpool?—Yes, he is better paid than the Liverpool pilot; he has no boat to keep; his salary would be 208 *l.* a year, and they have nothing to pay out of it.

10604. It is entirely different from Liverpool?—Yes.

10605. I do not know whether you heard the opinions given with reference to the easy navigation of the port of Liverpool; do you consider that Liverpool, under all circumstances, is an easy port to go in and out of?—It is quite easy to those acquainted with it.

10606. But not to strangers?—But not to strangers.

10607. Do you speak of a steamer or of a sailing vessel?—Either would be difficult to a stranger.

10608. But there are periods of time when the navigation of the Mersey is a most difficult one?—Yes.

10609. Both to pilots as well as others?—Yes.

10610. And generally speaking more with outward bound ships than with inward bound ships?—More with inward bound ships.

10611. Is it not the case that the majority of accidents occur in vessels outward bound, who have just parted with their pilots, meeting with a change of wind?—It is generally the case when a pilot has parted with a vessel that the vessel is suddenly caught.

10612. And they cannot get back?—They cannot return to port.

10613. Are you aware that this Bill proposes to leave all the control that the pilotage authority now possesses in the hands of the dock board; that it does not seek to alter it?—Yes.

10614. And that the only alteration this Bill proposes to make is, to leave it optional with the shipowners to take a pilot or not?—Yes.

10615. In what way would you be better off under the present Bill than if it did not pass. I speak now generally of the pilots of Liverpool. The Bill makes no change at all in the service as now organised in Liverpool; it leaves all the control that the dock board now possesses; therefore, in what way can the pilots be benefited by this Bill passing?—If the present system is kept up, and this Bill passes, I do not see how the pilots can go to sea at all. It is from hand to mouth now at the present time, and if the dock board do not alter the present system under the non-compulsory Act, I do not suppose there will be any pilots at all.

10616. *Chairman.*] What you expect by this Bill is, that the pilotage authorities will change their system?—It will change their system.

10617. And make it a free one?—And make it a free one.

10618. Mr. *Stevenson.*] When you say a free system, what do you mean?—A free system in pilotage, and a free system in the division of pilotage.

10619. Would you not require a man to serve an apprenticeship first and pass an examination?—I do not agree with apprenticeship, although I have served two apprenticeships myself. I have served 12 years.

10620. Do you think that any one who imagines that he can undertake the charge of a vessel should be allowed to call himself a pilot, and get vessels, or would you have him licensed?—I would have him licensed so as to qualify him as being thoroughly capable.

10621. So that a stranger might not be taken in by imagining that he had got a man who, professing that he knew about it, did not know about it?—Yes.

10622. You do not disapprove of the division of the pilotage earnings among the crew of each boat; you are willing that they should continue to share alike?—Yes.

10623. And you are willing that the larger amount which you might earn by being engaged in a steamer should go to help the earnings of the others who keep the sea in their boats?—It is a question in this way: another man might earn more than myself.

10624. But it happens that you have the advantage now?—Yes; I never gave utterance to such a sentence; it is my wish that my earnings should go among the rest.

10625. One great advantage you expect from this Bill would be to break down the system of high prices charged for the ownership of those boats for the fictitious capital with which these boats are charged, which is far beyond what it would cost to put the boats upon the station for the first time?—Yes.

10626. And you hope if the Bill passes that something will be done to give you justice in that respect?—Yes.

Mr. *H. Jones.*

27 May 1870.

10627. And you think that that would be given by what you call a free system?—Yes.

10628. Mr. *Norwood.*] I suppose some of your pilots are more active and intelligent than others, there is a difference in men as a general rule; I dare say you vary in capability and age, and so on?—We vary in age.

10629. Are you all of the same active habits?—Some are more active than others.

10630. Do not you think that your system of share and share alike rather tends to keep men from exerting themselves to the utmost; you are all brought to a dead level as regards your remuneration?—Our divisions are made according to the branch, there are four branches and the parties divide according to rank; I speak as a first-class licensed man.

10631. Your system now is that as far as your class is concerned you share and share alike, is not the tendency of that to reduce the men to the same level, giving little scope for individual exertions?—No, I do not think so.

10632. Then you are satisfied with the system of share and share alike?—That is my idea; all classes in the pilotage department share and share alike. There are different classes and they receive a proportion of the pilotage according to their ability and according to their rank in the service.

10633. The pilotage board are rather dictatorial, are they not?—In most cases they are.

10634. Mr. *C. Turner.*] Has there not been a meeting of pilots with reference to this Bill?—There have been several meetings.

10635. What has been the result of those meetings?—I do not know.

10636. Is it not the fact that the pilots unanimously agreed to oppose the Bill?—They sent up half-a-dozen pilots to oppose it, but I never saw anything of them.

10637. There were meetings, were there not?—Yes.

10638. What determination did they come to at the meetings?—I do not know.

10639. Was not it the fact, that they unanimously resolved to petition and to oppose the present Bill?—At the meeting I attended there was a kind of division; some wanted to let it go, and others wanted to defend it.

10640. Was not there a general meeting, at which it was determined to oppose the present Bill?—Yes.

10641. And there has been no meeting at which they came to any conclusion to the contrary, has there?—Not to my knowledge.

10642. That is the fact, is it not, that at a general meeting of your brother pilots they came to a unanimous resolution to oppose the present Bill, and there has been no meeting at which a resolution to the contrary has been come to?—Not to my knowledge.

10643. Therefore your brother pilots are agreed in opposing the present Bill?—Not all of them.

10644. But that was the unanimous view of the meeting, was it not?—I cannot say so.

10645. With regard to the masters; the masters of the boats share with you, do not they?—Yes.

10646. And they take an equal share with you?—Yes.

10647. The 25 *l.* you speak of is not paid out of your money, but it is paid out of the owners' proportion of the earnings of the boat?—Yes.

10648. Therefore the 25 *l.* payment to the master is a payment by the owners out of their funds and it does not diminish your share?—No.

10649. The masters get their share, and the 25 *l.* is paid by the owners out of their own fund?—Yes.

10650. It does not affect you at all?—The 25 *l.* does not affect the working pilot, only those that have shares.

10651. It does not affect you as you have no shares?—No, it does not affect me.

10652. The receipts of every boat are divided among the men of the boat, I believe?—Yes.

10653. And the masters get their share with the men?—Yes.

10654. Then a certain proportion is set aside for the owners of the boat, and the 25 *l.* is paid out of the share of the owner, is not that so?—Yes, the pilot-boat owners pay the master the 25 *l.*

10655. What is your share per annum; you say that you pay 340 *l.* odd into the common fund of the boat?—Yes.

10656. What is the share of each man in your boat, on the average?—My average earnings have been 175 *l.* for the last 12 years.

10657. Mr. *Grieve.*] Your gross earnings are 500 *l.* a year, and you receive 175 *l.* out of the gross earnings?—Yes.

10658. Where does the balance go to?—To the owners of the boat, and the pilots of the boat.

10659. Supposing you were under the voluntary pilotage at Liverpool, would there be any difficulty in getting a sufficient number of men to join, and build boats, and equip them, and go to sea?—There would be no difficulty whatever.

10660. And that would be a system you would prefer rather than to be tied down by this arbitrary board?—Yes.

10661. *Chairman.*] You stated, in answer to one of my questions, that a considerable number of pilots were very dissatisfied with the present state of things?—Yes.

10662. That is independently of this Bill?—Yes, that is independently of the Bill; they are very dissatisfied with the present state of things.

10663. They think that this money ought not to be paid to the owners, and they also think that the present system is too rigid, which maintains the boats on their present stations, and that they could do better by going further off?—Yes.

10664. And I believe that is the opinion of a considerable number of the pilots?—Yes.

10665. Is it the opinion of more than half the pilots?—Fully half.

10666. And of those I presume a certain number think that this Bill may be of use in compelling the pilotage authorities to break up the system?—Yes.

10667. And they look forward to it in that respect?—Yes; to break up the present system and reorganise another system.

10668. Mr. *C. Turner.*] Then how do you account for the general meeting of the pilots coming to the conclusion to oppose the present Bill?—In the same way as I would account for a lot of pilots in a pilot boat not being allowed to dictate to the master of the boat what they should do, for fear of being guilty of mutiny.

10669. Are the young and the old men allowed to give a free expression to their opinions?—We are not allowed to do so in the pilot boat; you may as well leave the boat if you do.

10670. Mr. *Graves.*]

10670. Mr. *Graves.*] You would be made uncomfortable if you did?—Yes; I speak from experience; I have suffered under what I gave utterance to.

10671. When you speak of extending the stations, you do not mean that it should be done at the present rate of pilotage?—I never heard any complaint of the present rate of pilotage.

10672. You think that the limit ought to be extended?—Yes.

10673. But you would not go down there without being paid extra for it, would you?—We would leave it to the good wishes of those who would employ us.

10674. You would leave it open to make a bargain?—Not to make a bargain; but to settle it amicably between him and the pilot.

10675. You would say what your charge would be, and you would leave him to take you or not?—Yes.

10676. *Chairman.*] You might have a regulated price for the extra distance, and leave it to the owner to say whether he would employ you or not?—Yes.

10677. And you think if that was done, a large number of masters would take pilots?—Yes, they would. We had a case a week or two ago, where one of our own pilots came under the lash of the dock board. A ship took him to sea; he was unable to land; he went down Channel and the captain remunerated him, for which he was censured by the dock board, and the money was refunded.

10678. Do I understand you to say, that if the present system of payment to the boatowners were done away with, and if there was a freer system, and the boats were allowed to cruise much further off, so that the pilots could be employed further down Channel than they are now, you would have no fear of the results of this Bill?—I would have no fear whatever.

Tuesday, 31*st May* 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Thomas Brassey.
Mr. Gourley.
Mr. Graves.
Mr. Grieve.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Philip Wykeham Martin.
Mr. Pemberton.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. William Watson, called in; and Examined.

Mr. *W. Watson.* 31 May 1870.

10679. *Chairman.*] You are the Managing Director of the London and Dublin Steam Company?—The City of Dublin Steam Packet Company.

10680. I belive that company was established in the year 1823?—Yes.

10681. And they are now the owners of 20 steamers, trading between Dublin and Liverpool, Kingstown and Holyhead, and along the Welsh coast into the Menai Straits, and also from Dublin to Belfast?—Yes.

10682. I think your company originated steam communication between England and Ireland?—For purposes of commerce, but not the first for passengers.

10683. And especially for cattle?—Yes.

10684. Soon after the starting of the company was it considered desirable that the masters of your vessels should themselves navigate them into the various ports?—Yes.

10685. Instead of being compelled to take compulsory pilots?—Instead of stopping to take pilots.

10686. Up to that time, the company had been liable to full pilotage charges?—Yes, and long subsequently.

10687. I think your company, in common with the other steam companies, felt a grievance in being compelled to pay pilotage?—Yes, we did; paying for services which we did not require.

10688. And you communicated with the Board of Trade from time to time upon the subject?—Yes.

10689. And you also had interviews with the pilotage authorities of Dublin and Liverpool?—Yes, we had; but that has grown out of certain legislation that took place.

10690. What occurred with regard to Dublin; what arrangements did you make with reference to the pilotage?—After the passing of the Act with reference to allowing the pilotage authorities to free vessels from the use of pilots, or from paying for them in the year 1849, we communicated with the Ballast Board of Dublin; they did not take very long to consider it, but they acquiesced, and carried out the Act, by which they relieved the steamers coming into Dublin or going out of Dublin from the payment of all charges for pilotage, coupled with the condition that for 10 years they were to make a certain annual payment to the pilotage board.

10691. What was that?—£. 150 a-year towards a superannuation fund.

10692. That was to be made for 10 years?—Yes.

10693. And it has long ago ceased?—Yes; 10 years ago.

10694. I believe they now examine the captains, and they give them certificates by which they are relieved from taking pilots?—Yes.

10695. What has occurred at Liverpool?—We have had, all through, the greatest difficulty at Liverpool; and we have failed to get the Liverpool authorities to carry into effect the intentions of the Legislature and the Board of Trade with reference to examining the captains of vessels; we have made a great many efforts, but they have completely failed.

10696. What has been the arrangement which you have finally made with the pilotage authorities?—The year before the passing of the Merchant Shipping Act there was a proposal made that, inasmuch as we never had pilots on board, going in or coming out, instead of charging 4 *s.* a foot inwards, they should make a charge of 1 *s.*, conditional on no service being required; and that was agreed to.

10697. Up to that time I understand you had paid full pilotage rates, although you did not take pilots?—Yes; as a matter of course the vessels were always understood to have been spoken, out at sea, and the pilot bill was invariably signed by the master of the ship.

10698. Although you never took pilots?—Although we took no pilot.

10699. You were going to state the arrangement you had made?—They reduced the charge from 4 *s.* to 1 *s.* a foot inwards, undertaking also not to present themselves for the outward voyage, and we undertaking not to require any service. That arrangement was in force when the Merchant Shipping Bill passed, and the Merchant Shipping Act practically confirmed that arrangement; there was fresh legislation with reference to pilotage in that Act.

10700. What amount have you paid to the pilotage authorities in respect of that arrangement?—About 400 *l.* a-year.

10701. During

10701. During the whole of that time your officers have had charge of your vessels, and the entries and departures from Liverpool have averaged about 6,000 a-year, I believe?—It does not average so many as that from Liverpool; that includes the various ports put together, where the captains take the vessels in and out upon their own responsibility.

10702. What is the average for Liverpool?—The average for Liverpool alone would be half that number.

10703. During that time they had never practically taken pilots?—Never.

10704. But they have continued to pay 400 *l.* a-year to the pilotage authorities?—Yes.

10705. And that for a service they never required?—Yes; that is for ordinary vessels going into Liverpool. When we send the Holyhead mail packets to Liverpool for repairs, of course our officers are not so conversant with Liverpool, and we would not send them without a pilot.

10706. Those are exceptional cases?—Yes.

10707. They are not the regular lines running from Liverpool to the Irish coast?—No.

10708. The payment of 400 *l.* a-year is in respect of the regular lines of steamers which run from Liverpool to the Irish coast, and whose officers never do take pilots?—Yes.

10709. During that time have any losses occurred to your vessels by their being navigated by your own officers?—None.

10710. You know of no such case?—Not one.

10711. What is the average number of steamers, to and from Liverpool, in the course of the year?—I suppose between Dublin and Liverpool we make about 800 voyages; that is, 4,000 entries and departures every year.

10712. Have you considered the Bill which is now before the Committee for the abolition of compulsory pilotage?—Yes.

10713. Will you state to the Committee your opinion upon it?—I think it is perfectly fair and equitable, as between the shipowner and the pilotage authorities; that is, that it should be free to all to use pilots or not as they think it necessary. As it is now, the coasting steamers are free, and there seems to be no reason why the other coasting trade should not be free.

10714. Subject to the payment of 400 *l.* a year for the steamer trade?—Yes; it is such a small sum compared with what we used to pay, that we do not give much attention to it.

10715. It has been alleged that if this Bill passes into law, there will not be a sufficient supply of pilots for the port of Liverpool; do you think that is true?—I do not see how that is likely. There is a vast number of vessels of one kind and another going in and out of Liverpool in a year, and there is comparatively a small proportion of those taking pilots at the present moment. I suppose only one-third of the vessels going in and out of the port of Liverpool take pilots.

10716. Do you consider that a large number of vessels will continue to take pilots?—Yes, it is a matter of certainty that the over-sea ships will take pilots. An employer would not allow his commander, if he was willing, to go in without a pilot, unless he knew the port thoroughly; a stranger cannot be supposed to know it. Some come in that were never there before, and of course they will take pilots.

10717. On the other hand, those vessels that frequent the port constantly, like your own, will not take pilots?—No; they know the road perfectly well into Liverpool, and they do not require pilots.

10718. Do you think there is any necessity to compel them to take pilots?—No.

10719. Do you think it unjust to force the services of pilots upon those who do not want them?—Yes, most unjust.

10720. I believe you are yourself a member of the Dublin Docks and Harbour Board?—Yes.

10721. Has that board considered the Bill which is now before this Committee?—Yes.

10722. What is the decision which they came to upon it?—They decided not to interfere in the matter further than by a petition, in which they brought before the attention of Parliament the necessity for more speedy compensation to those pilots, who will be entirely put out of employment in our port, because we have no great over-sea trade. I assume that the colliers will very seldom require pilots.

10723. You make a distinction, do you not, between the case of Dublin and that of Liverpool?—Yes; very great.

10724. What is the distinction?—Our port is almost a coasting port; I have a return which may interest the Committee, of the tonnage of vessels in the year before they acquiesced in relieving us from the pilotage charges. I find the tonnage of the over-sea vessels, in the year 1849, was 95,825 tons; of colliers, 272,226 tons; of other sailing coasters, generally very small vessels, 63,457 tons; of steam coasters, 365,734 tons, making an aggregate tonnage, entering the port in that year, of 797,242; and the revenue from the pilotage payments was 6,356 *l.* 7 *s.* 9 *d.* I have made inquiry as to the number of pilots that there were on the staff then, and I find there were 44. In the year 1851, the year after steamers were relieved from the charge, the tonnage had not increased very materially, but it had increased from 797,000 tons to 845,000 tons, and the revenue had fallen off to 4,730 *l.*; that was to be expected in consequence of steamers being relieved from the charge.

10725. Were the same arguments about the falling off of the employment of pilots used when you made your recommendation to be made free from the necessity of taking pilots?—Yes; and it was considered that the pilotage establishment would fall to the ground altogether.

10726. Experience has shown that the increase of shipping has made up for that loss, has it not?—Last year proves that in Dublin; I find the over-sea trade had increased to 213,582 tons, and the colliers to 361,448 tons; other sailing coasters, 76,464 tons, making an aggregate of 651,494, as contrasted with 431,508 tons in the year 1849; the steam coasters have more than doubled; the last does not affect the pilotage question, because they have been relieved from it; they have increased to 562,130 tons, and the pilotage revenue has increased from 6,356 *l.*, in the year 1849, to 7,032 *l.* last year.

10727. Still the employment of pilots is mainly in respect of coasters at Dublin; the over-sea trade is comparatively small?—The over-sea trade is comparatively small; the number of arrivals is not one-fifth of coasting vessels.

10728. What is your opinion of the navigation into the port of Dublin?—It is very simple, and comparatively easy.

Mr. *W. Watson.*

31 May 1870.

10729. In your opinion, would the effect upon Dublin be considerable if this Bill were passed?—Yes.

10730. Do you think that a very large number of coasters which are now compelled to take pilots, will cease to do so, and that the masters will find their own way in?—I apprehend that the coasters will nearly all bring themselves in.

10731. There is a large trade in colliers, is there not?—It is the principal coasting trade that is subject to pilotage.

10732. Do you think that none of those vessels would take pilots, but would find their way in by themselves?—I do not think they would take pilots generally.

10733. You think that the effect upon Dublin will be considerable, do you not?—Yes.

10734. It was in that view that the Dublin Dock Board petitioned the Committee with reference merely as to compensation?—Quite so.

10735. They do not disapprove of the principle of the Bill, do they?—They do not.

10736. They petitioned Parliament merely on the question of compensation?—Solely.

10737. Because they were of opinion that the loss of employment would be considerable?—Yes, but for that there would have been no petition; in the petition they state their intention of not resisting the proposed legislation.

10738. In your opinion is there any reason why the colliers and the other coasting vessels should be compelled to take pilots?—Certainly not if they do not require them; it is simply putting a tax on that class of shipping for the benefit of another class.

10739. Do you consider that it is for the benefit of the over-sea vessels?—Yes, for the benefit of the over-sea class.

10740. Have you any doubt as to whether there will be sufficient employment of pilots by the over-sea vessels to keep up a staff sufficient for the trade?—I have no doubt that there will be an ample number of pilots for the service, as there is by the present system.

10741. I see by this petition that it is only directed to the compensation clauses?—That is all, and that petition was agreed to unanimously by our board.

10742. May we take it that the Dublin Dock authorities approve of the principle of the Bill?—Quite so; there was only one member who hesitated about it.

10743. Now let us go to Liverpool; I presume you will admit that the navigation of the Mersey is much more difficult than that of Dublin?—It is longer and more intricate.

10744. Have you heard the evidence given as to the difficulty of the navigation of Liverpool?—Yes.

10745. What is your opinion of it?—I think it is grossly exaggerated.

10746. Do you consider that though it is considerably more difficult than Dublin, the navigation is not so difficult as it has been represented?—To a stranger it is impossible to get in; but to a person who knows the marks there is not the slightest difficulty in getting in. The best proof of that is, that for the last 30 or 40 years our captains have got in without any disaster.

10747. As compared with the Dublin, the over-sea trade of Liverpool is enormous, is it not?—Yes, it is, I wish to remark that the exemption in Liverpool waters, with the coasting trade, is a great deal more extensive than in Dublin; vessels under 100 tons are free in Liverpool, but I do not think there is such exemption in Dublin.

10748. I think it is only vessels under 50 tons that are exempt?—Yes.

10749. Then, again, all the coasting steamers coming into the port of Liverpool are also practically exempt, with the exception of one-fourth of the inward pilotage?—Yes; I should say that no coasting steamers take a pilot in except when there is a strange captain on board.

10750. Those that are in the habit of running constantly do not do so?—No.

10751. In your opinion the navigation is not so difficult as really to necessitate the retention of compulsory pilotage in order to keep up the staff?—That is clearly my opinion. Some years ago we sent our vessels into the River Thames; it seems a far more difficult navigation, and we were perfectly free of pilotage for coasters.

10752. Mr. *Graves.*] You have stated that you have found great difficulty in inducing the dock board of Liverpool to license your captains?—Yes.

10753. What dock board were you speaking of?—Both the old and the new.

10754. Have you ever made an application to the present board?—Yes; we have made several applications.

10755. Are you able to give any date of any particular application?—I can give you the whole of them; I have the correspondence in my pocket.

10756. I am speaking of the existing dock board?—And since 1859. I find here that we had a long correspondence with the Board of Trade on the subject, and with the old board, and we were asked to postpone the matter till the new board came into office; at that time there were applications from two of our masters, who thought they were perfectly competent to take their vessels in, one of the name of Hughes, and the other of the name of Thomas John.

10757. What are the dates of those applications?—The 1st of March 1859, the last answer was saying, "As soon as the said committee shall have appointed a day on which to meet, I will let you know;" that is to their agent in Liverpool. Then there was another application, and still there was no day appointed. In May 1859 the two officers were desired to be in attendance. Here is our letter sent to the Board of Trade, on the 24th June 1859, to Mr. Farrer: "Sir,—In compliance with your letter of 9th September last, all further action in reference to the examination of masters and mates of steamers for pilotage certificates for the port of Liverpool, was deferred until the early part of this year, when Messrs. Hughes and John sent their written applications to the Mersey Docks and Harbour Board, requesting that a day might be appointed for their examination. After considerable delay a day was named for this purpose. Before, however, any arrangement could be made for their attendance, a postponement was ordered by the committee. Another appointment was made after some delay, but as only one clear day's notice was given, the candidates being then engaged in their course of service between Dublin and Liverpool, were unable to attend. The agent of our company therefore requested that another time might be named, with sufficient notice to allow arrangements being made to keep Messrs. Hughes and John in Liverpool, and to appoint

appoint other officers to perform their duties at sea. The Mersey Docks and Harbour Board have, however, finally declined to proceed with the examination. I beg to annex a copy of their letter. On the part of the applicants and of the company I now respectfully urge that the question may be disposed of, on the authority of the Board of Trade, as contemplated by the Merchant Shipping Act, 1854."

10758. Will you read the Board of Trade's letter which is referred to there?—That is a letter from the pilotage committee of the Mersey Docks and Harbour Board, dated the 14th of June 1859, to our agent in Liverpool: "Herewith I forward you copy of a resolution adopted by the pilotage committee on the 6th instant, in reference to examinations of masters and mates of coasting steamers, viz., the question of examining masters and mates of coasting steamers having been taken into consideration on the application of Messrs. John and Hughes, chief officers in the employ of the City of Dublin Company, this committee, referring to the Consolidation of Acts Bill of 1858, section 121, are of opinion, that it is not expedient to undertake such examinations." That is the reply we got; and then we referred the matter to the Board of Trade to carry out the 355th section of the Merchant Shipping Act.

10759. That was in 1859?—Yes.

10760. The board had only just then been formed?—Yes; we waited for the formation of the board.

10761. What steps followed that?—We then put ourselves in further correspondence with the Board of Trade; and Mr. Milner Gibson felt so thoroughly that we had so little chance of having the question properly dealt with in Liverpool, that he agreed to take charge of it, and issue certificates to qualified officers of our company's service.

10762. Are you aware that the dock board did not begin to examine till the 6th of October 1859?—No, all I know is that they declined to proceed with the matter.

10763. Have you sent any application in to the board, since they commenced to examine, in October 1859?—Since that time, I think not.

10764. Has there been any application?—No, there has been no application made to the dock board since, because we considered that the question was taken charge of by the Board of Trade, giving authority to our commanders to take our vessels in, with passengers on board; if we have no passengers on board we require no authority.

10765. So that, in fact, since the present dock board commenced to examine for licensing masters, in October 1859, you have made no application to that board to license masters?—No.

10766. You say you derive no advantage from the 1 *s.* per foot; have you not the privilege, at any time, of demanding the services of a pilot?—Of course, we have, like any other ships, I suppose, in the same way that a coaster who is relieved from payment would be able to ask for a pilot; we have it, but it is an advantage which we have never once availed ourselves of; therefore I do not think we attach much value to that advantage.

10767. Do you consider the 1 *s.* a foot a heavy tax?—No; we do not consider it a heavy tax, but it is a tax to the extent of 400 *l.* a year.

10768. Do you think that being able at any time to ask for the services of a pilot you should make some small contribution for the maintenance of an efficient pilotage service in the port?—I think not.

10769. Do you think that you should bear no portion of the expense of maintaining the pilotage service, though you should be able to avail yourselves of the services of the pilots at any time?—No; certainly not.

10770. Was there not an obligation in the Merchant Shipping Act for all home trade passenger ships to have a pilot, or a licensed master on board?—Yes.

10771. Have you carried that out?—We have never sailed into Liverpool without one; we have studiously carried it out; I may remark that that was an arrangement I had a good deal to do with at the time of the passing of the Act by the Board of Trade; we acquiesced in it because we thought it was fair for the safety of the public, and we have carried it out ever since.

10772. *Chairman.*] When your vessels carry passengers, do they take pilots?—Our captains are pilots; we never sent a vessel with passengers without a captain who has a pilotage certificate.

10773. Mr. *Graves.*] From the port of Liverpool, I understand, the captains have no license?—We get them direct from the Board of Trade, under the 355th section of the Merchant Shipping Act.

10774. What examination do they undergo when you apply to the Board of Trade?—No examination.

10775. Are we to understand that any master who comes forward with a certificate from his owner, gets a pilot license for the port of Liverpool from the Board of Trade?—Under certain conditions,

10776. What were the conditions?—The conditions were that he should have been for two years in active service in that trade; and if as master, holding a certificate, a person whom we would consider perfectly competent to bring his vessel in and out of the port of Liverpool.

10777. Do you consider that the stipulation of two years should be preserved in any mode of granting licenses?—I say that it probably should be more than that, but that is the condition of the Board of Trade in giving those certificates.

10778. Do you consider it a wise condition?—I consider it a very wise condition; in fact, our men have far longer experience than two years before we offer them for certificates.

10779. If you consider it a wise condition to be attached to the license for bringing steamers in and out of the port of Liverpool, how would you apply the same rule to coasting vessels; would you allow them to go without pilots?—Steamers are only required to have them when they have passengers on board; sailing coasters have no passengers.

10780. I suppose that condition was made in the interest of life?—Clearly.

10781. If it were not applied to sailing vessels, you would be rather removing one of the safeguards which Parliament thought necessary with regard to passenger ships, would you not?—There is no doubt of that.

10782. With regard to coasters, I understand you to say, in answer to the honourable Chairman, that you thought they ought to be exempted?—What I said was, that I do not think they ought to be taxed for services which they

Mr. *W. Watson.*

31 May 1870.

they do not require, for the sake of others who do require them.

10783. Do you speak of Liverpool?—I speak generally.

10784. Are you aware that the income derived from the coasting vessels, which you would exempt, amounted in 1868 to 3,321 *l.* in Liverpool?—I have never seen the returns of the Liverpool pilotage, so that I cannot speak upon that subject.

10785. So that, in exempting that class of vessels, you would be reducing the income to nearly a proportionate amount?—I should think so.

10786. The Port Board is heard by petition. You expressed a strong opinion with respect to the compensation of pilots in Dublin?—Yes; our view is very decided that the pilots ought to be compensated for the loss of their income.

10787. Do you consider that the mode of compensation proposed by the Bill is entirely satisfactory?—No, I think it is too remote; and though there is no resolution of the board upon it, it was the view of the board that it was putting it off too far, because experience shows that the loss will be immediate.

10788. *Chairman.*] By "too remote" do you mean that the period at which the compensation is to be made, namely, two years, is too long an interval to elapse?—Yes.

10789. And you think it should not be more than either one year or six months?—Yes.

10790. In other respects, are you satisfied with the provision?—Yes, that is the only objection to it.

10791. Mr. *Graves.*] Would you consider that the compensation should be a guarantee that the man's income should be preserved to him for life?—I would not say for life, because it would be more than a compensation for what he would lose; and a man cannot be earning pilot's wages for life; but it should be a fair compensation for what he is really deprived of.

10792. That his position should be really no worse than it is now?—That is my view.

10793. *Chairman.*] Having regard to the superannuation he would be entitled to, supposing he went on as a pilot?—Yes, that his position should not be deteriorated by the change in the law.

10794. Mr. *Graves.*] I see by the return that you have handed in, that in 1851, when steam coasters were exempted, the revenue fell off from 6,356 *l.*, in 1849, to 4,730 *l.*?—Yes.

10795. And it has advanced again to 7,000 *l.*?—Yes.

10796. Is that in consequence of the trade being greater?—Yes.

10797. I observe that the over-sea trade has doubled itself since 1851 in the port of Dublin?—Yes.

10798. Would you anticipate such a falling off as that now?—I would anticipate a greater falling off, because the proportion of the sailing coasters bears a larger ratio to the whole amount now subject to pilotage than the steamers did in the first year.

10799. With regard to compensation, you have a superintendent, I think, of the pilots?—Yes.

10800. Do you consider that he should be included in the compensation?—That question has not been discussed, but my view is, that the board, in the interest of the port, should maintain the superintendent out of the pilotage fund, and let him, as the examining officer, have the appointment of the pilots in the interest of strangers coming in; that is my own individual view; we have not discussed the question; as long as there is a pilotage establishment he would have no claim to compensation, because his services must be continued and paid for as long as the pilot service is continued; he gets a salary of 250 *l.* a year.

10801. If the pilotage of the port of Dublin was a gratuitous one, and there was no charge made upon a ship, would you think that pilots would be used by sailing vessels, or not; supposing the port of Dublin provided the pilot service, and paid the pilots themselves out of the tonnage dues of the port, do you think sailing coasters would avail themselves of the pilots, or not?—I think it is very possible that they might save themselves; I mean that a man who has been at sea a night or two would be glad to have his work done by another man, if it cost nothing.

10802. Would you consider a vessel safer with one of the Dublin pilots on board, or not?—I suppose it would be safer, because a man who is constantly in the port must be more certain about it than a man who comes in only 12 times in a year.

10803. Your objection appears rather to be based upon the view that one class should not be taxed for the benefit of another?—Yes.

10804. And if you were free from all questions of taxation, you would be in favour of having a pilot on board every vessel going in?—I am not prepared to go to that length, because, unless I thought it necessary upon inquiry I would not advise it. Supposing the colliers of Dublin knew their way into Dublin, I do not see the necessity for putting a pilot on board their vessels.

10805. Now, as to the Port Board; how long has the Port Board existed?—The new board has been in existence about two-and-a-half years.

10806. How is it constituted?—It is elected, at present. We have four sections upon the board, the first section consisting of our mayor, *ex officio*, and three members elected by the municipal corporation without any qualification. We have seven members appointed by the Irish Light House Commission, which is practically the old Ballast Board.

10807. That is similar in Ireland to the Trinity House in England, is it not?—Yes; they had charge of the port of Dublin and the Irish coast lights; seven members are elected by the mercantile constituency of Dublin, and seven members are elected by the shipowners, or persons paying shipping dues in Dublin, making 25 members altogether.

10808. Who had charge of the pilotage service of Dublin, previous to the existence of the Port Board?—The Ballast Board, of which we are the successors.

10809. Why was the change made; the Ballast Board are now the Irish Light Commissioners, are they not?—Yes.

10810. Why was the change made; why was the pilotage service of Dublin taken out of the hands of the Irish Light Commissioners, and placed in the hands of the Port Board?—It was considered part of the duties connected with the administration of the affairs of the port, and the whole of those duties were passed over to the new Port Board.

10811. Do you consider that the change has been a satisfactory one?—I consider it most satisfactory. We have got men now, with one or two exceptions, who are men in active business, and of course they take an interest in the matter, and they understand the question more thoroughly than those who had not necessarily any business qualifications, or any shipping qualifications. In fact, the old board had but two persons on it in any way interested in shipping.

10812. Would you consider it an undesirable policy to leave to a board, constituted as the Port Board is, the decision as to what system of pilotage is best adapted to their own waters?—I think it might be safely left to such a board as ours; and I think what I have already mentioned would justify me in that opinion, as even the old board acquiesced in carrying out the pilotage on very liberal ideas with regard to relieving those who did not want the service, that is, the coasting steamers.

10813. How many shipowners have you on the board?—We have seven members elected by shipowners, or those who pay shipping dues, without actually owning ships.

10814. How many persons representing sailing-ship owners are there on the board?—Only two.

10815. How many are there on the board representing steamship owners?—That would leave the other five of the seven elected by the shipowners, as representing the steamship owners.

10816. Would the representation of five to two at all represent the proportion of the tonnage of steam and sailing vessels?—The representation depends upon the contributions to the port funds, and not on the ownership and tonnage; and I think it does represent the proportions.

10817. *Chairman.*] You have been asked by the honourable Member for Liverpool, whether it would be desirable, in your opinion, to leave it to the Dock Board in Dublin to determine what should be the system of pilotage for the port; that is, I presume, whether it should be voluntary or compulsory, as a general rule?—I do not think the honourable Member for Liverpool asked whether it would be desirable.

10818. Would it be desirable to leave to the Dock Board of Dublin to determine what should be the system of pilotage?—I think that it might be safely left to our board, as now constituted.

10819. Do you think they would find it easy to carry out a change of that magnitude?—They could not do it; they would require an Act of Parliament; they could scarcely pass an Act of Parliament for the port of Dublin alone upon such an important question; and the board would not undertake it.

10820. Therefore, without some pressure from without, you think they would never do it?—No.

10821. Therefore, in your opinion this general Bill is necessary?—Yes.

10822. If left to themselves you think they would not attack it?—No; if it was put upon them no doubt they would do it fairly; but they would not volunteer to do it.

10823. You think that they would not initiate legislation of that kind?—No.

10824. Your opinion is generally that it would not be sufficient to leave it to the local authorities, whether the shipowners were properly represented or not, to maintain compulsory pilotage or to abolish it; without pressure from the State the thing never would be done?—I think not.

10825. Have you had any personal experience of the inconvenience arising from the immunity of shipowners when the ship is under the charge of a compulsory pilot?—No, except in one case of a ship belonging to the Admiralty.

10826. What was that case?—Our ship was lying at anchor in Kingstown Harbour, and an Admiralty ship coming in in charge of a pilot did some damage, but the Admiralty refused to compensate.

10827. Have you had any cases of your own vessels coming into collision with others when those others were in charge of compulsory pilots?—No.

10828. I understood you to say, that before this arrangement was made between you and the Liverpool pilotage authorities your vessels were bound to pay for pilotage?—Yes, on every arrival.

10829. But they never did take pilots, notwithstanding that they had to pay for pilotage?—Never.

10830. What stamp of men are your captains generally; are they a high class of men?—No; our system is that of the promotion of our working seamen.

10831. As regards the pilots, are they superior to the ordinary run of pilots?—Some of the pilots are highly respectable men; the last man we appointed is a Liverpool pilot; he was introduced to me with very strong recommendations from Mr. Simpson, the superintendent; there was a vacancy, and we had no officer of our own eligible for promotion, and we appointed him.

10832. Colonel *Bourne.*] If this Bill becomes law, would you still advocate the maintenance of the superintendent of the Dublin pilots?—That is my own individual opinion.

10833. How would you pay that officer?—Out of the port fund, because we derive a very considerable revenue from the over-sea ships coming in.

10834. In fact, you would be taxing the over-sea ships for the maintenance of this superintendent?—No, that would be taxing the whole shipping of the port; if he is paid out of the general port fund, it would be taxing the whole shipping.

10835. It would be a tax upon certain people not deriving any benefit from it individually?—It would, to the extent of 250 *l.* a year.

10836. Would you think that just?—Theoretically, it is unjust; but out of a revenue of 50,000 *l.* or 60,000 *l.* a year, it does not make much matter.

10837. Have you been much at sea yourself?—No, I am not a seaman.

10838. I understood you to give an opinion as to the difficulty of the navigation of the Mersey?—Yes.

10839. If you are not a seaman, how do you arrive at that opinion?—From conversations with our own officers, and from the immunity from accident to our ships piloted by them.

10840. I believe you said that most of your captains are licensed by the Board of Trade?—Yes, they have Board of Trade certificates, with the exception of the last one I have mentioned.

10841. In answer to the honourable Member for Liverpool, you said that they underwent no examination?—No.

Mr. *W. Watson.*

31 May 1870.

10842. None whatever?—None.

10843. Do I understand you to say that the Board of Trade grant licenses to any man who applies without any examination whatever?—No, I did not say that; I said, on a certificate from his employers, that he had been two years in the service on that line, and that they were perfectly satisfied with his conduct and ability to take a ship in and out; as used to be the case before the passing of the Merchant Shipping Act.

10844. *Chairman.*] Since 1862 have the Board of Trade given any licenses to any of your captains?—Yes; I think they are hesitating now about it, and want to throw us back upon the Liverpool authorities again; but we have not acquiesced in it. I think we have got several licenses since 1862.

10845. Colonel *Bourne.*] Are all your captains licensed?—Yes, all of them. Not all by the Board of Trade; we have one with a Liverpool pilotage certificate, and we have also several who have their service certificates, which they are entitled to under the Merchant Shipping Act of 1854.

10846. Mr. *Grieve.*] A Liverpool pilot, who takes command of one of your ships, gives up all claim to the superannuation fund of the Liverpool pilots?—I think so, but he still holds his certificate; and I believe in his case we do not pay 1*s.* a foot.

10847. Does he return to the pilotage establishment again?—I do not know.

10848. Mr. *Brassey.*] You expressed a very confident opinion to the effect that any pilotage authority, however satisfactorily constituted, and however completely the shipping interest of the port were represented in its constitution, would not of its own mere motion abolish the system of compulsory pilotage; that it would not do so except under the pressure of general legislation?—I said that I do not think it likely that any port would initiate a Bill in Parliament to allow them to get rid of compulsory pilotage.

10849. Supposing Parliament made it optional, assuming there should be a general Bill passed giving that option to the local pilotage authority, do you conceive it to be impossible that the local authority would avail themselves of that?—Quite the reverse, because our Dublin port did take that option in 1850.

10850. *Chairman.*] It depends, even in such a case, upon the board being a properly constituted one, and fairly representing all the interests of the trade?—Yes.

10851. I think you told us that in 1851 the pilotage receipts of Dublin had fallen off one-fourth from what they were in 1849?—Yes.

10852. Was that in consequence of the arrangements which were made of relieving the coasting steamers from payment?—Yes.

10853. I believe there was no compensation then given to the pilots?—Unless the 150*l.* a-year could be said to be compensation, but that could scarcely be said to be compensation.

10854. No compensation was given to the pilots in that case?—No.

10855. From 1851 to 1859 the income has been gradually improving, has it not?—Yes.

10856. From that time the tonnage of the over-sea vessels has doubled itself?—Yes.

10857. I presume that that increase is likely to go on?—It is principally vessels with foreign corn and timber that come into our port; vessels with timber do not materially change, but the corn vessels are sometimes very numerous.

10858. And those vessels generally take pilots?—Yes.

10859. So that there will be a great employment for pilots in that, though not so large as at present?—Yes.

10860. And in course of time the amount may come up to what it has been?—Yes, but I think it will take a long time.

10861. In the interval, you think that by this Bill some provision ought to be made for withdrawing a certain number of pilots?—Yes.

10862. You think that the plan for withdrawal as provided in the Bill is a fair one?—I do not object generally to that portion of the Bill. I only deal with the question of the pilots being compensated for the loss of income.

10863. Your principal objection is with regard to the period of two years?—Yes; it is postponing it too far.

10864. What do you think would be a fair time?—I think, certainly, it could be ascertained within six months what the extent of their loss would be.

10865. Do you think that it would be possible to say, within six months, to what extent the pilotage receipts would fall off in a place like Dublin?—Yes.

10866. But you could not tell in Liverpool, within the space of six months, to what extent it would fall off, would you?—No; in Dublin we depend chiefly upon the coal trade, which does not go to Liverpool; it is that trade which mainly supports the Dublin pilotage.

10867. Mr. *Grieve.*] Would it not be fair to take 12 months of the winter and summer months in order to arrive at the fair earnings of the pilots?—Perhaps it might be; but no doubt the pilots would immediately suffer, and they ought to get some immediate compensation.

10868. *Chairman.*] But that compensation ought to have reference to the superannuations they would receive in the event of their remaining as pilots?—It should be taken into account equitably, what they would lose by the loss of their business.

10869. Therefore it would not be right to give them that annuity based upon their former receipts?—No, it would be making them better off than they are now, and they would have nothing to do.

10870. You ought to take into account that they have no work to do?—Yes; we proposed to the Liverpool pilotage committee to get rid of the difficulty with regard to the examinations for certificates; we made the offer to ship them as second officers in our vessels, at a salary of 2*l.* a week, with the duty of taking vessels in and out of port alone, which offer they declined.

10871. You made that offer to the Liverpool authorities, to relieve them of their surplus pilots?—No; not to relieve them of the surplus pilots, but with the view of getting rid of the difficulty of having to present officers for examination. The Board of Trade being very reluctant to continue the present system, we made that offer, to require no other service, but to take the ship in and out of the port, for which we would give them a salary of 104*l.* a year.

10872. I think you stated that one of the Liverpool pilots has recently been taken into your service as a commander?—Yes, as a commander.

10873. Does such a thing often occur of a pilot going off the list to be a commander?—No; we are not very likely to do it, because our wish is to promote our own officers when they are deserving.

10874. Supposing it were necessary to withdraw a certain number of them, would they get employment in other professions?—I am not prepared to say that; some might do so if they had no other means of living.

10875. But in estimating the amount of superannuation they should receive in the event of this Bill passing, would it be proper to take into account that they might be employed in other services?—I think it would be right to take it into account if they did get employment in other services.

Mr. *W. Watson.*
31 May 1870.

10876. Mr. *Graves.*] Looking at the nature of the services performed in Liverpool by the pilots, do you consider the pilotage rate moderate?—Very moderate; that is my reason for thinking that over-sea ships would never think of saving the pilotage; I believe the maximum charge is 9*s.* a foot; no captain would take the responsibility upon himself to save that.

Mr. JOHN THOMPSON BOUCH, called in; and Examined.

10877. *Chairman.*] I BELIEVE you are a partner in the firm of H. Marshall & Company, Liverpool, managing owners of the Old Black Ball New York packets?—I am.

10878. That line of packets has been established in the emigrant trade between Liverpool and New York for some time?—Yes, about 50 years.

10879. What number of vessels have they?—At present they have eight.

10880. Are they a large class of vessels?—Yes; from 1,500 to 1,800 tons.

10881. You have had considerable experience with regard to the sailing ship trade of Liverpool, have you not?—Twenty years.

10882. Have you often had occasion to consider the subject of compulsory pilotage, with reference specially to the port of Liverpool?—I have.

10883. What is your opinion as the working of that system?—I think it works injuriously, and ought to be done away with if possible.

10884. Will you state to the Committee your reasons for thinking that it is desirable to abolish compulsory pilotage?—I think it is a grievance that we should be compelled to take the first pilot who offers, whether he is a capable man or not; then again, I think, with the voluntary system, a better class of men would come into the calling, that the present useless ones would be weeded out; and altogether it would be an improvement.

10885. At present, in the case of inward-bound vessels, you are bound to take the first pilot that offers, I believe?—Yes.

10886. You think that it should be open to you to select those you think fit?—Yes; you can do that on an outward voyage, but not on an inward one.

10887. You could not do it to the same extent on an inward voyage?—You might do it, because I think, under the voluntary system, the pilots would be found more down the Channel, off the Tusker, and not close to the entrance to the Mersey, where the dangerous part of the navigation is almost over.

10888. You would wish to employ the pilots at a much earlier point if you could get them off the Tusker?—Yes, or between the Tusker and Holyhead.

10889. Or even as low down as Queenstown?—No; our vessels are sailing vessels, not steamers; we do not go to Queenstown.

10890. Do you believe there would be a considerable employment for pilots even lower down the Channel, if the pilotage were voluntary?—Yes; and our captains would be glad to take them.

10891. They would take them lower down, though the charges would be higher?—Yes.

Mr. *J. T. Bouch.*

10892. And to that extent there would be more employment for pilots under the free system than under the compulsory system?—I think so.

10893. It has been alleged here, that if the voluntary system of pilotage were carried out at Liverpool, there would not be a sufficient supply of pilots; what is your opinion on that point?—I think that is a mistake; I think there would be quite sufficient pilots, because it would do away with the system, which there is at present at Liverpool, of a portion of the earnings of the pilots going to the boatowners: after paying disbursements and certain expenses, the pilots receive the balance.

10894. You think that that system is a bad one?—Yes.

10895. And that it makes a heavy deduction from the receipts of the pilots, which ought to go to the pilots themselves?—Yes, to the men who earn them.

10896. Do you think that the pilotage charge is too high at present?—No, I think not.

10897. You think that it is not unreasonable?—It is about the same at other large ports.

10898. You think that the whole of the earnings ought to go to the pilots, instead of a large portion being diverted, as now, to the owners of the boats?—Yes.

10899. Have you formed any opinion with regard to the amount of employment for pilots in the event of pilotage being voluntary?—I have gone into no calculation upon that.

10900. In your opinion would there be a considerable employment for pilots?—As far as employment goes, I think there would be as much as there is at present.

10901. All foreign vessels would take pilots?—Yes.

10902. And also vessels belonging to the shipowners of Liverpool that are not constantly frequenting the port would take pilots?—Yes.

10903. And under a freer system than the present, you think they would be taken at a much earlier point, and that there would probably be larger receipts?—Yes, I think so.

10904. It has been stated that pilots would not offer their services in bad weather; is that your view?—I think they would, because, as I said before, if they receive the entire amount they charge, they would be on the alert, knowing that it would be in bad weather that they would be more likely to be engaged.

10905. You think, in bad weather, there would be a greater inducement for them to go out to seek for vessels?—Yes.

Mr. *J. T. Bouch.*
31 May 1870.

10906. Have you formed any opinion with regard to the effect of compulsory pilotage in making a divided command, between captain and pilot, in pilotage waters?—I think it has a bad effect for it makes the captain careless, because he knows that if his vessel is in charge of a pilot he escapes blame, and his owner also escapes liability.

10907. I believe cases have occurred, within your own experience, in which that evil has resulted?—I have a case now in the Court of Admiralty, where one of the Liverpool pilots, in charge of another vessel, ran foul of one of our ships at anchor in the river in daylight. The case was tried in the Admiralty Court, and the ship was pronounced solely to blame, but it was exonerated on the ground of compulsory pilotage.

10908. You think the practice has grown up for captains to leave their vessels entirely in the command of the pilot, with the view of escaping liability on behalf of their owners?—Yes.

10909. Do you think that has operated badly?—I do.

10910. It has been suggested that that evil might be met by throwing upon the shipowners the liability for the acts of pilots, although the pilots are forced upon them; do you think that reasonable or right?—I do not think that they ought to be compelled to take pilots, and then be responsible for his acts.

10911. If he selects pilots, do you think it reasonable that the owners should be liable for their acts, but not otherwise?—Not otherwise.

10912. Do you think if the pilots were supplied under the voluntary system, that they would be considered by the owner of the vessel simply as advisers?—Yes; as advisers simply on the local features of the navigation.

10913. Do you think that the present immunity of shipowners is a benefit to them?—No, I do not think it is; of course, it cuts both ways. If your ship is to blame and you escape liability, of course it is very satisfactory. But, on the other hand, it is anything but satisfactory.

10914. In your opinion, is there anything peculiar in the navigation of Liverpool which would make it desirable to exempt it from the general rule on the subject of pilotage?—I think not. I do not think Liverpool is at all a difficult port of navigation; it is well buoyed and well lighted.

10915. As compared with the Thames, what would you say?—I have not had much experience of the Thames.

10916. Have you any experience of other ports with which you can compare it?—Yes, I know many of the Irish ports; Queenstown and Dublin.

10917. I presume the navigation of the Mersey is much more difficult than those two places?—I suppose it is much more difficult than Queenstown and Dublin, on account of the banks.

10918. But the dangers are not so great as to necessitate the special exemption of Liverpool from the general provisions of the Bill abolishing compulsory pilotage?—I think not; I think if the present bell beacon was removed and a lightship put there, that the port would be as easy of access as any other port of the kingdom.

10919. On the whole, as a shipowner, are you in favour of the abolition of compulsory pilotage?—Yes.

10920. That is a general abolition without the the exemption of Liverpool, or any other port?—Yes.

10921. As a shipowner, would you be likely to take pilots notwithstanding the abolition?—We should certainly take pilots in all cases.

10922. Your vessels are of a large class, and that would necessitate it?—Yes, they are of a very large class, and for our own security we should take pilots. Notwithstanding that, I believe all our captains are perfectly able to navigate the Mersey.

10923. Mr. *Graves.*] I believe your vessels trade with New York?—Yes, between New York and Liverpool.

10924. Do you prefer the system of pilotage in operation in New York?—They have two systems of pilotage there. You might frequently have a pilot boat 600 miles from New York; that comes under the name of the off-shore pilots. You need not take those pilots without you like; but even the captain of our vessels take them, because they are generally pretty well tired after the passage across the Atlantic.

10925. What is the other system?—The other system is much the same as ours, and I believe there are about the same rates and charges.

10926. Is it not the case that the first boat that boards a vessel in New York waters demands the pilotage?—Yes.

10927. In that respect the system would be the same as ours?—Yes.

10928. And the pilotage there is compulsory, is it not?—Yes, I suppose it is.

10929. Have you read this Bill?—Yes, I have.

10930. Are you aware that the Bill proposes to make no change in the existing state of things at Liverpool, with the exception that it leaves it optional to the shipowner whether he takes a pilot or not?—Yes.

10931. The Bill does not provide for outside cruising, or the free system you have got in your mind?—I believe competition would lead to the introduction of small screw steamers in the pilotage service.

10932. This Bill does not propose to throw open the pilotage service in the way you aim at?—I have not read it so.

10933. The Bill proposes to leave with the Dock Board all the power that it now possesses, and to take from it none of its power, with this exception, that it leaves it optional to the shipowners whether they will take pilots or not?—Yes.

10934. Do you consider it quite fair that the pilot should be obliged to be at his station in all weathers, and that the shipowner should be left entirely free?—I consider that it is the pilot's duty to be at his station. There is very great danger of vessels running on shore, and vessels coming into Liverpool have frequently to run into Point Lynas in bad weather to look for pilots.

10935. You see no distinction, in your own mind, with regard to the free system, as to whether there should be an obligation on the pilot, and no obligation on the shipowner; if you leave it free with the shipowner to take a pilot or not, would you leave it free with the pilot to board the ship or not?—Yes.

10936. You would leave it free on both sides?—Yes.

10937. Mr. *Brassey.*] In your experience as a shipowner,

a shipowner, do you know of any port in which, without any compulsory system, the pilot boats are compelled to keep their stations in exposed weather, in the same way as they are off the port of Liverpool?—No, I cannot say that I do.

10938. You do not apprehend any risk to the shipowners by the adoption of the voluntary system, by its leading to the pilots declining to put to sea in bad weather?—None whatever.

10939. Do you think you would be able to enforce the somewhat strict regulations which now exist in the port of Liverpool as completely under the voluntary system as you now do under the compulsory system?—I do not see why it should not be so.

10940. You think the mere motive of self-interest, and the prospect of obtaining employment, would make the pilots keep their stations in exposed weather with the same regularity then as they do now under the compulsory system?—Yes; because I think they would be better remunerated.

10941. Colonel *Bourne.*] You think that the pilots would be better remunerated; in what way?—They would get the entire amount of the pilotage, and would not be subject to the deduction that there is at present for the person who owns the boat.

10942. But you would still advocate a fixed rate to be levied per ton or foot?—Yes, upon the draught, because a vessel drawing a large draught of water in a greater responsibility.

10943. Are your vessels steamers?—No; they are sailing vessels.

10944. You have eight of them, have you not?—Yes.

10945. How often do your vessels sail?—Our advertised days are the 1st and 16th of each month.

10946. Have you two vessels a month inwards and outwards?—Yes.

10947. You said that you would like to take your pilots much earlier than you get them now?—Yes.

10948. Before you reach Point Lynas?—Yes.

10949. Are they of any use to you before you get there?—The Channel up to the Mersey is a very difficult navigation; after you pass the Fastnet Rock, in the south of Ireland, it is all anxiety.

10950. That is beyond the Liverpool pilots' cruising district, is it not?—Yes; it is 300 miles from the port of Liverpool.

10951. You would take your pilots beyond the present cruising ground, if you had the opportunity?—No doubt.

10952. You would then expect to pay a high rate for his services?—Yes, but it would be optional; you are not bound to take a north-shore pilot without you like; if the vessel comes up with a fair wind, you need not incur the expense.

10953. There are so many changes in the navigation between the rock of which you speak and Point Linas, before you get to the Liverpool cruising ground?—In the Channel, in fine weather, it is a pretty straight course.

10954. And there is not much change in it?—It depends upon the weather, and it also depends upon the wind.

10955. The banks remain the same, and the rocks remain the same?—Yes.

10956. Does the same remark apply to the cruising ground between Point Lynas and Liverpool; is there much change in the banks there?—The banks change periodically, I believe; but they are all well surveyed and marked.

Mr. *J. T. Bouch.* 31 May 1870.

10957. You think that your captains could navigate your vessels through those banks without a pilot?—I think so, considering that they are in and out there every three months; I do not suppose for a moment that it applies to people who are away for years.

10958. You said you did not like the present system of paying the boats; you have never made a complaint with regard to the rates?—No.

10959. Are you aware that the rates of pilotage in Liverpool are amongst the lowest in the kingdom?—Yes; I believe they are as low as any other port.

10960. The system of paying the owners of the pilot boats does not apply to you as a payer of rates, because you do not complain of the rates being high?—No.

10961. The distribution of rates does not affect you, as a shipowner, in any way?—No.

10962. And you do not complain of the rates?—No; I complain of the boats receiving that portion of the money, whereas the pilots would get it themselves if no such charge was made; and a better class of men would be introduced into the service.

10963. How does that distribution affect the shipowner?—It does not affect him pecuniarily at all.

10964. Are you satisfied with the present class of pilots?—Some of them are very good and estimable men; the others are very inferior and very inefficient.

10965. Have you ever complained of any of them?—Frequently.

10966. To the pilotage committee?—To the pilotage committee.

10967. Have your complaints been attended to?—Yes, I believe so; but I do not think that the pilotage committee possess the proper judicial power. I think a case of that sort ought to be brought before the Board of Trade, and there ought to be an inquiry into it.

10968. Have you complained that your complaints have not been properly investigated by the pilotage committee?—The thing has been considered, and when it has been settled we have said no more about it; we get no satisfactory redress. Judging from our own cases, I think it is almost incredible the leniency with which men's gross carelessness has been dealt with.

10969. Can you name any single case in which you complained?—The case I have alluded to was a collision in the river last December; I believe that pilot is still in the employment of the pilotage committee.

10970. Though he was reprimanded and held to be liable for having run some vessel against yours?—Yes; we have made no further complaint to the board as yet, because it is not settled; we are appealing against the decision.

10971. Did you make any complaints, in that case, to the Liverpool pilotage board?—No; except that the pilot made a statement; we are waiting to see the result of the action; when that is terminated we shall make a complaint.

10972. Do you remember any other case in which you have complained to the pilotage board?—I do not remember any at present, but I think I can find many cases.

10973. Mr. *Grieve.*] Supposing this Bill to pass, and the pilotage authority to remain the same

Mr. *J. T. Bouch.* 31 May 1870.

same in Liverpool, have you any doubt that they will at once conform themselves to the altered circumstances of the case, and popularise their movements with reference to the shipping interest?—I think so.

10974. Are you aware the Bill provides that no pilot can be taken unless he is a licensed pilot?—Yes.

10975. Therefore you presume that the pilots in Liverpool would be as much taken under the voluntary system by foreign-going ships as under the compulsory system?—Yes.

10976. Mr. *Gourley.*] How far do you take pilots outwards?—Generally to the outside of the bar, or sometimes to Point Linas.

10977. Why would you take pilots inwards at a greater distance than you would take them outwards?—You have never the opportunity of getting them further out.

10978. But you have the opportunity of taking them further out from Liverpool?—There are channel pilots frequently taken in Liverpool.

10979. Is the danger greater coming inwards than going outwards?—No, I consider it is greater going out, from the simple fact that your crews are better disciplined on arrival than they are on leaving.

10980. I cannot understand why you take pilots a greater distance coming inwards than you do in going outwards?—I simply mention the reports made by our captains, who say, when they have had hard weather, coming across, they would be glad to get a competent man to take charge of the vessel, when entering the channel.

10981. They would take a pilot, to relieve them from the anxiety of having to sit up, and keep watch at night?—Yes, and in order to have a man to confer with who is cognizant with all the lights.

10982. Do you use steam tugs with your vessels?—Yes.

10983. Are the masters of the steam tugs capable of directing the navigation of the ships when they have charge of them?—Yes.

10984. As well as the pilot?—Yes.

10985. When you have a steam tug you have no necessity for carrying a pilot, have you?—We always do carry one.

10986. You always would carry one, although you had a steam tug?—Yes.

10987. *Chairman.*] You think that a pilot is necessary, as well as a tug, with large vessels in difficult navigations?—I do.

10988. The master of the tug follows the direction of the captain or of the master of the ship, does not he?—No; the master of the tug is generally under the instructions of the pilot.

10989. Either the pilot or the master of the vessel gives the orders; the master of the tug does not guide the vessel?—Certainly not.

10990. He follows the direction of whoever is in command of the vessel, does he not?—Yes; that is either the pilot or the captain.

10991. That renders the presence of a pilot as necessary where there is a tug as where there is none, does not it?—Yes.

10992. You stated that you frequently have occasion to make complaints of the pilots?—Yes.

10993. I presume the complaints have not been followed by any action of dismissal?—I am not aware of any.

10994. The men remain as pilots, and you are bound to take them when they offer their services?—Yes, we cannot refuse them.

10995. So that the very man of whom you have reason to complain, you are bound to employ afterwards?—Yes, if he presents himself.

10996. Whereas under the voluntary system you would be able to decline the services of a particular man, or of a particular class of man?—Yes.

10997. Colonel *Bourne.*] Have those complaints been in writing; have you made any formal complaints?—Yes, I have made complaints in writing.

10998. And they have not been attended to?—They have been attended to in their way, but they have not been satisfactorily attended to.

10999. Why have you made no complaint with reference to the collision you spoke of which occurred in December last?—Because the thing is not settled. I wanted the action to be settled before I took any proceedings.

11000. Do not you think it would be better if you complained at once, if you thought a pilot had neglected his duty?—I think so; but the vessel sailed immediately afterwards, and I had not the captain here, and I wanted him.

11001. Did you make the complaint as soon as the captain returned?—No, I have not done so yet.

11002. Was the vessel much damaged?—Very much damaged, indeed.

11003. And yet you made no complaint against the pilot?—I made a verbal complaint. I went to the pilotage office myself.

11004. Mr. *Grieve.*] I suppose your claim against the pilot would be a small amount?—We cannot make a claim.

11005. Therefore, you thought you had better make the other claim before you went against the pilot?—We knew that he was not pecuniarily responsible.

Captain THOMAS REYNOLDS, called in; and Examined.

Captain *T. Reynolds.*

11006. I BELIEVE you are a Master Mariner in the employ of the City of Dublin Steam-packet Company?—Yes.

11007. I believe you have been at sea 39 years, both in foreign-going and coasting ships, sailing vessels, and steamers?—Yes.

11008. How long have you been in the present service?—Twenty-six years.

11009. Since when have you been in the command of a steamer?—Since 1854.

11010. During that time has your business been lying between Liverpool, Dublin, and Belfast?—Yes.

11011. How many voyages do you make on the average per week?—I make four voyages in the winter per week, two in and two out; and in the summer time, when the trade is brisk, we sometimes do six passages a week, three in and three out.

11012. Are you also acquainted with the port of London?—Yes.

11013. How long were you serving there?—I sailed out of London previous to 1852, in the Dutch

Dutch trade, in one of the City of Dublin Company's ships.

11014. Have you had a Board of Trade pilotage certificate during the last 15 years?—Yes; I had the Board of Trade pilotage certificate in 1855.

11015. You were not examined then, but it was given to you for your length of service?—For the services I had performed, and the position I held, they granted me my certificate.

11016. Comparing the approaches to Liverpool with those to London by the Thames, what is your opinion?—There is no comparison whatever between them.

11017. Do you think the approaches to London the more difficult of the two?—A great deal more difficult.

11018. Do you find any difficulty yourself in navigating your vessel into Liverpool?—None whatever.

11019. Have you ever had any accident during the time you have been in command of a vessel?—I had a collision with a fishing smack two years ago, off the magazine in the Mersey, in consequence of his having no lights, but the case went in my favour before the coroner's inquest.

11020. Have you ever felt the want of a pilot in bringing your vessel into Liverpool?—None whatever.

11021. Do you consider your vessel safer, under your own charge, than under that of a pilot?—A great deal. In fact I never would allow any strange man, whether the master of a ship or a pilot, to have any interference whatever with my vessel.

11022. Have you formed any opinion of the Bill before the Committee for the abolition of compulsory pilotage?—I do not think that it would in any way interfere with the present class of pilots in Liverpool.

11023. On what ground do you form that opinion?—Every foreign-going ship will employ pilots as heretofore; but it is a great hardship in the coasting trade to have to pay for what you do not get.

11024. In some respects there would be a falling off as regards the coasting trade?—Yes, there would be a slight falling off as regards the coasting trade.

11025. In your opinion, foreign-going vessels would take pilots, just the same as they now do?—Yes, just as heretofore.

11026. It has been suggested that under the voluntary system pilots will not be forthcoming when they are wanted; what is your opinion upon that point?—I cannot see it; I think they will be forthcoming as much as ever, and the very hope of reward will encourage them to be at their posts.

11027. Particularly in bad weather?—Particularly in bad weather; theirs is like any other business, it requires a little exertion to make it pay.

11028. You think their own interests will put them on the look out, because they will be more certain of employment in bad weather than in fine weather?—That is my opinion.

11029. Do captains in your service apply to be examined by the pilotage committee for licenses?—One or two have done so.

11030. What was their experience?—One failed the first time, and he would not attempt to go in again, as he considered it was impossible to pass; that the mind of the committee was made up not to pass any master mariner as a pilot.

11031. Did you offer yourself for examination before going to the Board of Trade?—No; having the Board of Trade certificate, there was no necessity for my offering myself.

11032. Do you think the experience of the two men who did offer themselves has deterred others from offering?—Yes; it has deterred most of the masters going out of the port of Liverpool in steamers.

11033. Have you a pilot license for Dublin and Belfast as well as Liverpool?—Yes.

11034. Have you read the evidence given by a man named Doyle, with reference to the difficulties of the Dublin navigation?—No; I have not read it.

11035. Mr. Doyle gave evidence before this Committee to the effect that the banks and approaches to Dublin are barely covered at low water, is that the case?—It is not.

11036. Are the currents very strong?—They are very mild; there is only a small rise and fall of the tide, which runs from three to four miles an hour.

11037. Are there shifting sands there?—None whatever; there is a little falling off at Roseburg Point, but there is nothing to signify.

11038. Is it the fact that in consequence of floods the sands are washed down the river, and the banks are continually changing?—I have experienced no change for the last 26 years in the port of Dublin.

11039. Are the floods so prevalent on the coast as to make the navigation unusually difficult?—No.

11040. In your experience have many large ships been wrecked and injured by being driven on shore in Dublin Bay?—None whatever.

11041. Do vessels frequently strike the bar coming into Dublin, or not?—I never heard tell of one in my life, and I go over the bar in all sorts of tides and all kinds of weather.

11042. Do you know anything of the Belfast navigation?—Yes; I was seven years trading in and out there with a passenger steamer.

11043. What is the state of the navigation there?—Very fair; it is very easy to approach, and it is safe.

11044. Comparing it with Dublin, what would you say?—It is something similar.

11045. Is it more difficult than Dublin?—No.

11046. In your opinion there is no more reason for confining compulsory pilotage to Belfast than to Dublin?—No.

11047. And the two parts may be taken together very much?—Yes.

11048. They are very much under the same conditions, are they not?—Yes.

11049. In your opinion, is there any reason for retaining compulsory pilotage, as far as Dublin or Belfast is concerned?—None whatever.

11050. Or for compelling coasting vessels to take pilots in either case?—I consider it a great hardship upon them.

11051. Would you say the same in the case of Liverpool with regard to the coasting trade?—Yes.

11052. I believe coasting vessels above 100 tons have to take pilots?—Yes.

11053. With regard to foreign-going vessels, you think they would still continue to take pilots, notwithstanding pilotage is voluntary?—Yes.

Captain *T. Reynolds.*

31 May 1870.

11054. Mr. *Graves.*] When you speak of Belfast, do you speak of the river or the lock?—The approaches north and south.

11055. Do you consider that the navigation of the river itself is perfectly safe?—Perfectly safe.

11056. And free from all kinds of obstruction from banks?—Perfectly safe.

11057. Is it not very narrow?—Three large ships cannot pass abreast of one another.

11058. Have you seen vessels aground there?—Yes, on the shore side, where they have got on the ebb and lodged there.

11059. I suppose two or three vessels would block up the river, if they got ashore there?—Yes.

11060. What would be the result?—The result would be delay.

11061. No injury?—No; except that arising from collision in the river.

11062. Take the case of a vessel coming up, and being unable to pass up or go down, would not she take the ground?—Not at high-water time.

11063. Take an obstruction on the ebb tide, would not it be so?—It would be necessary not to take the river with a heavy draught ship on the ebb.

11064. Mr. *Brassey.*] The river at Belfast is more like a broad canal, is it not, quite straight, and very wide?—Yes.

11065. It is something like a very wide canal?—It is similar to a large canal.

11066. And the difficulty of navigating it consists in the seamanship required in handling a vessel, more than in knowledge of the navigation?—That is all.

11067. Colonel *Bourne.*] How often do you go in and out of Liverpool?—I make four passages a week, two in, and two out; in summer time when the trade is brisk we make six passages a week.

11068. Do you know how often, on an average, Liverpool pilots go in and out of Liverpool?—No.

11069. Would you be surprised to hear that they do not average more than one voyage a week?—I would not.

11070. Inasmuch as you go in and out of the port four times a week, and the present pilots only go out, on an average, once a week, your experience is really more even than a regular pilot?—It ought to be.

11071. And hence you have more opportunities of being acquainted with the banks than a licensed pilot; is not that so?—No, because the pilots are on the ground at low water; they are there to notice any shift of sand and any alteration of the buoys; whereas our going in and out is principally from half-flood to half-ebb.

11072. But you navigate in and out of the port of Liverpool oftener than an ordinary pilot, do you not?—A great deal oftener.

11073. What water is there over the Kish Bank at low water?—There is six feet for a mile south of the Black Buoy.

11074. Then the Dublin pilot, Mr. Doyle, was right in saying that the banks in the neighbourhood of Dublin are totally covered at low water, was he not?—Six feet is the shallowest water on the Kish.

11075. Would any vessel pass the Kish at low water?—No, no vessel approaches the Kish at any time.

11076. Would not they require some knowledge of the Kish to enable them to get a vessel up and down the channel at any time?—The nature of the sounding will tell a master when he is approaching the Kish.

11077. You do not think that you require more experience upon the Irish coast than upon any other?—Not at all.

11078. *Chairman.*] Have you much communication with the pilots at Liverpool?—Yes, a great deal.

11079. Can you say what their general feeling is with reference to the payments made by them to the boat owners?—Some two or three years ago there was a great deal of bad feeling between the younger branch of the pilots and the masters, in consequence of the way in which the funds were distributed.

11080. Do you think that is a complaint amongst them?—Yes, I have heard many of the young men complaining about it.

11081. Do they think that some of the remuneration that ought to go to them is diverted to the boat owners?—Yes.

11082. Do you think under the voluntary system, they would get better remuneration, and that there would be an inducement for a better class of men to go into the service?—Yes.

Tuesday, 14*th June* 1870.

MEMBERS PRESENT:

Colonel Bourne.
Mr. Cave.
Mr. Graves.
Mr. Grieve.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Philip Wykeham Martin.
Mr. Norwood.
Mr. William Philip Price.
Sir Henry Selwin-Ibbetson.
Mr. Stevenson.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., IN THE CHAIR.

Mr. ALFRED HOLT, called in; and Examined.

Mr. *A. Holt.*
14 June 1870.

11083. *Chairman.*] I BELIEVE you are a Shipowner of Liverpool?—I am.

11084. And manager of the Ocean Steamship Company, which trades with China?—Yes.

11085. And also a member of the Mersey Docks and Harbour Board, and a member of the pilotage committee?—Yes.

11086. And also a member of the marine committee of Liverpool?—Yes, I am a member of that committee.

11087. Have you read the Bill before the Committee for the abolition of compulsory pilotage?—Yes, I have.

11088. Do you approve of the principle of the Bill?—Yes, I do.

11089. Will you state to the Committee what is your opinion upon the subject of the abolition of compulsory pilotage?—I think we should probably have fewer pilots but of a better class, and they would be better paid; and also I think that there would be a direct connection between the shipowners, who would be served by the pilot and the pilot himself, which would tend to improve and exercise the fullest powers of the pilot.

11090. You think that one effect would be to reduce their numbers?—I think that effect might be produced after a time.

11091. But that those who were left would be of a superior quality to those at present?—I think that would be the result.

11092. I suppose that would result from the owner being at liberty to employ them or not, as he thinks fit?—Quite so.

11093. Do you think that it would lead to emulation among the pilots themselves?—I think it would.

11094. And to their exerting themselves more than they do at present?—I think so.

11095. Is it your opinion that the master of the vessel should have complete control over his vessel on coming into pilotage waters?—I think it desirable that he should have a complete control over his vessel.

11096. Do you think the effect of this Bill will be to make the captains more careful on behalf of their owners than they are now as a rule?—I think the effect would be to make the master's knowledge of greater avail for his owner's benefit.

11097. Is it your opinion that compulsory pilotage has a tendency to induce the captains to give up the control of their vessels to the pilots?—In some cases I think it has that tendency.

11098. Have you reason to complain at all of delays which attend the present system?—I cannot say that I have in my own case, but I know that such delays have occurred.

11099. What is your opinion with regard to the employment which there is likely to be for pilots after the passing of the Bill?—There will be a very large amount of employment, probably not so much as at present, but a very large fraction of the present number of pilots will be still employed.

11100. What class of vessels, in your opinion, will dispense with the services of pilots after the passing of the Bill?—Most likely the smaller vessels, or those whose masters are well acquainted with the port.

11101. You think that coasting vessels and vessels constantly running into the port from the continental ports would dispense with pilots?—Yes.

11102. But the vessels engaged in the long voyage trade, will, in your opinion, still require pilots?—In my opinion, they will.

11103. Have you any opinion upon the present scale of charge for pilotage services?—I think it is rather high, considering the amount of service rendered.

11104. Is it high for the larger class of vessels, or only for the smaller class?—It is high for both, but it is harder in proportion to the value of the trade which the smaller vessels are engaged in, than it is for the larger ones, being in proportion to the draft.

11105. You think it falls more heavily upon the smaller class of vessels than upon the larger class?—Possibly, as it is regulated by the draft of water instead of by tonnage.

11106. Have you any personal knowledge of the entrance of the Mersey yourself?—Only the knowledge arising from having been a member of the marine committee, and having been frequently outside, and having watched such questions for many years.

11107. It has been represented to the Committee, that the difficulties of the navigation are very great as compared with the Thames and

Mr. *A. Holt.*

14 June 1870.

other ports in the country; is that your opinion?—I think the navigation of the entrance to the Mersey is attended with danger, but I do not think with so much as I have seen represented by some.

11108. Is it, in your opinion, of such a character as to necessitate the special exemption of Liverpool from the Bill now before the Committee?—I think not. I think the effect of the Bill would be to improve the pilots, therefore *à fortiori*, a reason for its application to Liverpool.

11109. Your opinion is, that the effect of the Bill will be rather to improve the pilotage than otherwise?—I think so.

11110. In other words, that the pilots, as a whole, will be more competent for the services for which they are required than they are now?—I am of that opinion.

11111. Then, in your opinion, this Bill may pass, not only without any evil effect to Liverpool, but with great benefit?—As far as pilotage alone is concerned; whether any question of compensation should be taken into account I do not express any opinion.

11112. But you think that, as a measure for the abolition of compulsory pilotage, it would be a great benefit to Liverpool?—It is merely on the ground that I think the pilotage would be improved.

11113. Have any of your masters obtained a certificate from the Liverpool Pilotage Board?—No; all my vessels go long voyages, and it is not necessary.

11114. You, as a shipowner, are likely to continue to employ pilots?—I certainly should.

11115. Do you think there would be any advantage in breaking up the very close system under which the men are confined to their stations, and that it would be better that the men should be allowed to go further off in search of vessels?—I think it should be allowed to find its own level. I cannot at once devise a perfect scheme, if the voluntary system be adopted, but in certain cases I think it advisable that vessels should obtain pilots further from Liverpool than they do now.

11116. Would your vessels ever take pilots further down the Channel than Point Lynas?—Not mine; they are all steamers, and they are all tolerably efficient; they can take care of themselves, and run down to the present pilotage ground.

11117. But as regards large sailing vessels, what would you say?—It is not necessary that large sailing vessels should take them further out, but many vessels are commanded by timid men, Greeks and others, and they might.

11118. And you think that they would be glad to take pilots lower down the Channel, off Queenstown or Scilly?—Yes.

11119. In that way there might be greater employment for pilots than there is now?—Yes, but I do not wish the conclusion to be drawn that, on the whole, there would be a greater employment of pilots.

11120. But to that extent there would be a greater employment of them?—Yes.

11121. Mr. *Graves.*] You have stated that you consider that if this Bill is passed, it would lead to great emulation among the pilots; in what way do you think it would do so?—In this way, that whenever a man is immediately dependent upon a person who employs him for his remuneration, he exerts himself more than when he is not so immediately dependent.

11122. Do you consider that the provisions of this Bill lead to that free system which you have in your mind?—I think they do.

11123. Can you point out in the Bill any clause which in any way alters the present control of the Mersey Docks and Harbour Board, or the regulations under which they conduct the services?—No, I cannot; but there would be no necessity to employ a pilot, and hence I presume, that the owner of a ship could take any pilot he chose; but that is a supposition.

11124. You said there would be no necessity to employ a pilot; do you consider that pilots in such waters as the Mersey; render the navigation of the ships more secure?—The man who knows the navigation of the Mersey best, combined with the power of handling his ship, is the man who renders the navigation most secure; and if the master has the necessary local knowledge, and also the peculiar aptitude which he necessarily would have, I should think he is the best to handle his ship.

11125. Would you consider a ship going in and out of the Mersey, as safe without a pilot as with one?—It depends upon the master.

11126. Supposing the captain does not know the port, what would you say then?—No.

11127. Supposing a captain goes in and out once a year to Calcutta, would you think him as competent as a general pilot?—No.

11128. In those cases a captain exercising the option of not taking a pilot would be throwing overboard the safeguard to life?—If he exercised it he would.

11129. With reference to the Bill, are you aware that the only alteration from the present system which is proposed under this Bill, is simply to leave it optional with the shipowner to take a pilot or not?—Yes.

11130. And in all other respects it leaves to your committee the same power and control, and regulation of the service as exists at the present moment?—I think that is the effect of the Bill.

11131. You have suggested, I think, that the emulation would probably lead men to be more energetic; by that, I suppose, you mean that they would go down the Channel to meet vessels?—Not only that, but they would also, in the service between the Mersey and outside the banks, be more energetic and keener.

11132. Do you mean that each individual pilot should have a boat of his own, by which he could show his emulation and energy?—I do not want to shadow forth what I think it would shake down into.

11133. From your practical knowledge of this matter, you would not wish the Committee to suppose that you would consider such a thing feasible in a port like Liverpool, that an individual pilot could own a boat of his own?—I should not think it would have that effect; there would be some club, probably, got up.

11134. And probably the emulation would be as between boat and boat?—I do not know whether it would take that form or not.

11135. You think that an individual would try to show his emulation?—Yes, he would say, "I will try to get such a character that shipowners will employ me, and I will endeavour to retain this connection for myself. I will be back

and

and ready to wait upon this ship, and will take care that there is no accident."

11136. That could only be done with a large company which had arrivals so regular as that a pilot could tell where the vessel would be at a certain time?—I do not agree with you; most small vessels come into certain brokers' hands who would say, "John Thomas is a very good pilot," and they would recommend him to employment.

11137. Supposing your system was in existence to-morrow, in what way would a captain be able to claim the services of John Thomas; I am not speaking now of the regular steam lines, but of casual vessels arriving at the port?—I imagine that a broker would say to the shipmaster: "This is a good pilot; employ him." And if he is occupied, there is another person whom he would name; the broker would keep a list of the pilots.

11138. Do you think, under those circumstances, that the owner or broker is better able to assume the responsibility of selection than a qualified committee like your own?—I must say that I think he would be able to do so better; we do not select pilots for ships.

11139. *Chairman.*] All you require is a minimum qualification?—All we require is a minimum qualification.

11140. Mr. *Graves.*] Do you find any disadvantage, practically, arising from it?—Not at all, as far as I am concerned; but mine is hardly a fair case. My ships only visit Liverpool once or twice a year each, and they are of small number and large size.

11141. With regard to inward-bound vessels; in what way could a captain, by any possibility, exercise the selection?—It would be very difficult.

11142. Are you aware that that emulation of which you speak exists at the present moment between boat and boat?—I am aware that it does.

11143. I believe that there is no common fund into which the whole earnings of the pilots of Liverpool go?—No; each cruise stands by itself.

11144. Is it not the fact that there is a considerable difference between the earnings of the boats, owing to the very emulation you so much desire?—Whether it is emulation or luck is the question; but there is a difference.

11145. I think you have made some remark with reference to the fact that pilots would get more pay under the system which you have shadowed out than they have under the present system; do you mean by that that the division which the pilots now receive is not a fair one?—I do not say that it is not a fair one, considering the circumstances of the case.

11146. Do you consider that the boat owners got too much?—I consider that between the payment made by the shipowners, and the sum received by the pilots, a considerable amount goes to waste.

11147. Have you at all tested in what way it goes to waste?—I think it would not be hard to show that there are more pilots than are necessary for the service of the port. For instance, a pilot does not conduct a ship both ways; that is one effect of the present system and, of itself, necessitates the keepng up of a larger staff than would otherwise be requisite. Then the pilots are employed for other purposes than mere pilotage. There are many ships, which would rather be without a pilot, but one is set to watch that they do not get away without employing him. This occupies a man's time, which might have been otherwise used in piloting; and all tends to increase the staff, and to make the sum that comes to each pilot smaller in amount.

11148. Is not it in your own hands to regulate that; you need no Act of Parliament for it; is not it in the hands of the pilotage committee?—We should have to get some Act to upset the present system; though I am not thoroughly aware what the foundation of our system is.

11149. We are now speaking of the reduction of numbers. Is it not one of the peculiar provisions of the pilotage committee or the dock board, to regulate the number of pilots according to the requirements of the port?—I believe we have that power.

11150. So that you want no Bill at all to effect the reduction of number which you now advocate?—No; not to cause a partial reduction of the number; but if the present system is continued, a larger staff of pilots must be kept up than are absolutely necessary, because a pilot who has brought a ship in cannot immediately take a ship out. He must go out again as a passenger, or as he best can; I consider that a waste of time.

11151. I want to ascertain clearly, whether the pilotage committee has not now the power to regulate the number of pilots according to their view in a strict accordance with the requirements of the port?—I believe they have that power.

11152. And it is a fair assumption, is it not, that that spirit of control is so exercised at this moment?—It is exercised to a certain extent.

11153. Have you ever advocated a reduction of the number of pilots at the pilotage committee?—I have not pressed a question of that sort to a division; I have often urged upon the committee, the fact that I thought there were more pilots than were necessary, but it has not taken a definite form.

11154. Is it not the case, that the majority of the committee took an adverse opinion to yours, and that you did not press it?—I have not followed the matter up as I should have done.

11155. Let me ask you again with regard to the remuneration of pilots; has not the pilotage committee and the dock board full statutory powers to alter the arrangement for the divisions of remuneration, and if it was thought that the pilots were not getting a sufficient sum, is it not quite within their province to give them a larger division?—I ought to know that, but I do not know whether they have that power or not.

11156. Are you aware that on the 1st of January last an alteration was made in this direction, by which the boatowners get less and the pilots get more?—I do not recollect it.

11157. I will read to you the 144th section of the pilot laws, which states, "But the board may make such alterations, from time to time, in such manner as they may consider most conducive to the interests of the trade"?—It is evident that we have that power.

11158. You were not aware of it?—No.

11159. You are under the impression that the pilot rates of Liverpool are somewhat high?—Yes.

11160. Is that judging by the merits of the service performed, or by comparison with other ports?—By the merits of the service performed; I think that the work performed by the pilots is small, compared with the sum paid by the shipowners.

Mr. *A. Holt.*
14 June 1870.

11161. Have you had any means of contrasting it with other parts of the United Kingdom, such as Queenstown, the Thames, or Cardiff?—I have had occasionally with the Thames.

11162. What is your opinion with reference to the contrast with the Thames?—I have not gone into a calculation that I could rely upon, because the nature of the service, and the much greater length of pilotage in the Thames would necessarily come into question.

11163. Have you compared it with Queenstown, which is a very short navigation?—No.

11164. Are you aware that it was stated by Mr. Inman that the nature of the pilotage was much the same with his vessels in Queenstown as in the Mersey?—I was not aware of that.

11165. Do you consider it desirable to maintain an efficient pilot service in a port like the Mersey?—I think it is desirable that it should be maintained.

11166. Is not such a service as that maintained for the good of the whole port?—Broadly speaking, it is for the good of the whole port.

11167. You would not deprive any one visiting the port of the power of demanding the services of a pilot at any time; at present every owner or captain of a vessel has the power of demanding the services of a pilot?—Yes, he has.

11168. Would you consider it desirable that that power should remain?—Yes, I think so.

11169. Would you then leave it optional with the pilot to say no, as well as with the owner?—In sketching the future, I should be very cautious about what ground I took, but I think that it would be desirable, as far as I can at present see, that the power of the masters to insist upon a pilot should remain.

11170. Probably you would consider that a service so maintained, is maintained for the good of all?—I do not think that is the logical conclusion, because there are many vessels that would receive no good from it. In shadowing forth the future under this Bill, I do not wish to take any firm ground, because I cannot see what form the system might take; but at present I think it would be desirable that any vessel should have the power of insisting on having a pilot.

11171. If you have the power of taking advantage of this highly efficient pilot service, which you think it is desirable to maintain, does it not follow that to a very great extent that service is kept up for the good of all those who have the right to ask it?—Yes, but if there be a large class who never need to ask it, it cannot be said to be maintained for their good.

11172. I ask whether you would carry your views so far as to give the pilot, at all times, the power of saying no?—No, I do not say that.

11173. You think, under all circumstances, that the pilot should be bound to the shipowner, but that the shipowner should not be bound to the pilot?—I say it with some hesitation, but that is my present opinion.

11174. With reference to the pilotage committee, of which you are a member, it has been stated here that there has been too much leniency shown to the pilots, with regard to these complaints which have been made to your committee; is that your impression?—I believe the committee to act conscientiously in every case. I have regretted sometimes that severer measures have not been taken with pilots, I must confess, but I believe that the committee conscientiously, to the best of their power, endeavour to investigate every case, and to come to a decision, such as the majority of an efficient committee formed of gentlemen capable of judging properly, can come to.

11175. I presume every case is very patiently inquired into, and evidence is generally brought for and against?—Yes, but you must be aware that this has all to be done in an hour, or an hour and a half, once a week, when there may be a dozen cases, each having perfectly conflicting evidence.

11176. *Chairman.*] I suppose there is a great unwillingness to deprive a man altogether of his employment?—A great unwillingness, but I have never seen an undue unwillingness to punish a pilot, if default could be traced to him.

11177. What form does the punishment generally take?—Fines, deprivation of profits, suspension, and degradation to the lower grade.

11178. Suspension for a period?—Yes.

11179. Mr. *Graves.*] Would you propose to do away with these investigations?—No; I think there must be an examining board to issue licenses, and that board had probably better continue to have this power.

11180. If their decisions were more stringent, they would be more frequently in conformity with your view of the requirements of the case; is that your view?—It has very frequently occurred to me that a more stringent decision should have been come to.

11181. I suppose the majority carries the decision?—Yes.

11182. Do you consider that the pilotage committee of Liverpool and the Dock Board are more partial to the pilots than they are to the shipowners?—I have not been able to detect anything of that sort; I believe they are a very conscientious committee.

11183. And hold an impartial position as between all interests in the port?—I believe they do as well as they are able to do.

11184. Mr. *Stevenson.*] In the event of this Bill passing, I believe you are aware that it does not involve any alteration whatever, except simply making pilotage, which is now compulsory, voluntary?—And the question of compensation.

11185. It does not necessarily involve the abolition of all the conditions upon which the pilots are allowed to practice their profession, namely, examination, apprenticeship, and the complete discipline which is now upheld in the service?—No.

11186. You thought there was a question whether you could maintain discipline and compel a pilot to go on board a ship which required him?—I do not see where the difficulty in making a pilot take charge would be; I must have been misunderstood.

11187. Are you aware that there are pilotage authorities in different ports in the country where pilotage is voluntary who can maintain all the discipline required?—I do not see why discipline should not be maintained with voluntary pilotage.

11188. Mr. *John Stewart Hardy.*] You think, if this alteration of the law were made, that the pilots would become more active and take greater pains to please their employers?—Yes.

11189. Do not you think that the tendency of it would be that they would take greater pains to please the Liverpool shipowners, and that the extraneous people coming there would be left to the

the worst class of pilots?—An extraneous shipowner coming to Liverpool would, probably, come to some broker who would be keenly desirous of earning his money, and would recommend a good pilot to him.

11190. So that the shipowners would be consigned to someone or other, who would take care that an efficient pilot was employed?—Yes.

11191. And therefore, they would be in as good a position, for, having a local knowledge of the pilots as the ships that naturally belong to the port?—Yes; because, of the ships sailing from Liverpool, a small portion only are actually sailed by their owners.

11192. Colonel *Bourne.*] You said that pilots were sometimes punished by fines and suspension; are they not sometimes dismissed?—They are sometimes dismissed; but not so often as I should think would be desirable.

11193. But they are sometimes dismissed?—Yes.

11194. Mr. *Grieve.*] Have you read the evidence of some of the former witnesses?—I have read it in the papers.

11195. It came out from some of the witnesses that there is a considerable choice of pilots in Liverpool; if you had the chance of doing so, you would endeavour to choose your own pilot; is not that so?—It is new to me.

11196. So much so that Mr. Inman employs a pilot of his own?—Mr. Inman and certain large lines apply to the committee, and have pilots assigned to them.

11197. It came out from some of the other witnesses that there was a considerable preference given to certain pilots in Liverpool who were considered active, smart men?—The large lines referred to have a standing engagement with certain pilots who they consider smart men.

11198. Are you obliged to take the pilot who offers himself when your ship goes to sea?—You are not obliged, but it is almost invariably done; I believe you may refuse a pilot.

11199. If a man offered himself whom you did not approve of, you would still have the privilege of selecting another man, would you not?—I do not know that I would have that power if a man conducted himself properly, and was apparently an efficient pilot; if he was intoxicated, or misconducted himself, I believe I would have the power of refusing him.

11200. A good deal of stress was laid upon a person having no option at sea, that he was obliged to take the first pilot who came on board, while in a port he had the option?—It is rarely exercised, either at sea or in port.

11201. *Chairman.*] I gather from your evidence that you are in favour of a perfectly free system?—I think I am in favour of a free system, but I should take great care, and act very tentatively in changing.

11202. By "free system" I mean the absence of anything like a licensed corps or a regulated tariff?—If you mean that by a "free system," I think there should be a licensed corps of pilots.

11203. You think there should be a licensed corps of pilots and a regulated price?—A regulated price would be established among themselves; it would shake itself down.

11204. And you think that there should be a licensed corps?—I think that there should be a licensed corps.

11205. A licensed pilot should take a vessel out of the hands of an unlicensed man; is that your opinion?—That is provided for in the Bill, but how it is to done, I do not know.

11206. It is done now, is it not?—At present every vessel has to have a licensed man.

11207. But if a vessel is not bound to take a pilot, and if it is piloted by an unlicensed man, a licensed man has the right to take the vessel out his charge, has he not?—Supposing the master says "this is a boatman, I am in charge," how do you know that he is an unlicensed man?

11208. It occurs every day in the Thames, does it not?—It does not occur in the Mersey.

11209. It does not occur in the Mersey, but it does occur in other places, does it not?—I believe so.

11210. You say that there should be a licensed corps of pilots, and that the licensed pilots should have the right of superseding, as they now have?—I think it is well that they should have that right, but I do not see how you could carry it out. Supposing a master of a ship said, "The pilot is no pilot at all, but one of my crew," what would you do then?

11211. Do you think there should be a limited number of pilots?—I would let it shake itself down.

11212. At present the pilotage authorities regulate the number of pilots according to the exigencies of the trade, do they not?—Yes, in a rough manner.

11213. Do you think that that should continue, or should they license everybody who comes?—I do not know why free trade should not apply.

11214. In your opinion it would be necessary to be very careful in making a change from one system to the other?—Very.

11215. In order to prevent hardship to individual men?—Not only to prevent hardship, but to prevent any deficiency of pilots at a particular time.

11216. Are you aware that this Bill does proceed in that tentative manner?—It is rather smashing in the beginning I think.

11217. It only abolishes the compulsion; it does not affect the other conditions of pilotage?—The compulsion is the heart and kernel of the whole matter.

11218. I understood you to say, that you thought there were too many pilots at Liverpool?—I consider that there are too many.

11219. Do you know what amount of employment each pilot on the average gets?—I have heard that the amount of their receipts is somewhere about 200 *l.* a year.

11220. I do not mean the amount of their receipts, but how many days are they employed in work?—I have heard it stated that a man pilots a ship about once a week.

11221. Then he does not pilot more than 52 vessels in the course of the year?—About that.

11222. Is it once out and once in in a week?—I really do not know.

11223. In your opinion, it would be competent for brokers and shipowners to keep lists of efficient men, and only to employ those men, and give instructions to their masters only to employ those men?—Yes.

11224. And in that way, inducement will be brought to bear upon the men which will tend to make them more active in their work?—I think it will have that effect.

11225. And it will be an inducement to the most active and most competent men in the service?—Yes.

Mr. *A. Holt.*

14 June 1870.

11226. Whereas now, all the men, whether competent or incompetent, have the same chance of employment?—Yes, just so.

11227. Have you at all considered the provisions in the Bill with regard to compensation?—I have read them, and thought a little upon the subject.

11228. What is your opinion upon them?—You are aware that only journeymen pilots are provided for.

11229. Apart from that question, what is your opinion upon the whole, of the principle adopted in the Bill with regard to compensation?—It is so exceedingly contingent upon so many authorities being inclined to do so many things each in its turn, that supposing them to be all of one mind, the pilot may possibly be compensated in the end, but I think he deserves to have a clearer idea how the principle is to be carried out.

11230. Assuming that the Board of Trade or the Treasury are willing to carry out the principle upon which the compensation clauses are framed, do you think the principle is a fair one?—I think the principle of compensating a fair one; but it is stipulated to be done in a certain period of one year, which one year will be at a period of two years hence, and I won't pledge myself to the opinion that that arrangement is appropriate.

11231. Have you considered what would be a fair and proper limit to put in point of time?—The fair and proper limit would be as soon as the cause actually produced its effect.

11232. You are aware that it would not be possible until some little time afterwards to decide what the effect of the Bill would be upon the employment of pilots?—No.

11233. Therefore, sufficient time must intervene to ascertain what the effect would be?—Yes, but I cannot say that two years is the right limit; it must take some time until the cause has produced its result; but I do not know how long that will be.

11234. It would not be desirable to take it too soon, because the whole effect may not be ascertained?—No.

11235. Therefore a sufficient interval should elapse to tell what the falling off would be?—Yes.

11236. Would there be any difficulty in withdrawing a certain number of pilots in accordance with the provisions of the Bill, if it turns out that there is not sufficient employment for them?—I think there would be no difficulty; the pilotage committee could lay their hands upon such pilots as they thought it desirable to part with.

11237. From the answer you gave to the honourable Member for Liverpool, I understood you to say that if this Bill passes, it will be necessary for the pilotage authorities to reconsider the whole system of pilotage at Liverpool?—I think it will be very desirable that they should do so.

11238. And that it would also be desirable to break up the system of boat owning there?—I think that the system of boat owning is rotten.

11239. You think it necessary for them to make great alterations in it?—Yes; but, at the same time, I think the boat owners should be compensated if they are disestablished; that is not provided for in the Bill.

11240. It might be a matter for after consideration?—Yes, it might, but I don't think it should.

11241. And it may be a question out of what funds the compensation should come?—Yes.

11242. Have you considered that matter?—Yes; and I find great difficulty in putting my finger upon the fund.

11243. Do you think it a matter that should fall rather upon Liverpool than upon the country generally?—I have thought that the remuneration the boats at present receive has arisen under the sanction of the Legislature; and upon first sight, you would say that the authority which gave the power to receive the earnings, should see the recipients compensated when the earnings are taken away.

11244. But it is, in fact, a charge upon the shipping of Liverpool?—Yes, at present.

11245. Therefore, would it not be right that the shipping of Liverpool should pay for it in some way or other, if it is necessary to abolish it?—The past shipping should.

11246. I will not go into the question of past, present, or future; but the shipping, present, past, or future, should pay for it?—Even if the shipping had to bear it, it would not be a great matter.

11247. There are funds out of which it could come, are there not?—I do not know what they are.

11248. Could not it be made a charge upon the funds of the Mersey Docks Board?—I do not see why it should, because the Mersey Docks Board have only quite lately had charge of the pilots.

11249. Still the abolition or retention of this system at Liverpool does not depend upon the Bill before the Committee; it is a separate question?—Yes; but if you take away the compulsory pilotage, you strike at the root of the whole; you cut the tree down.

11250. And you think that it would necessarily break up?—Yes; and I think, after a time, it would be a great advantage.

11251. You think it would be a great advantage to the trade, and the pilots, and the master?—Yes, it will be a wholesome and a healthy system.

11252. Do you think that the present system is unwholesome and unhealthy?—I do, but must allow that it does not work badly.

11253. But there are features about it which would be much better done away with?—Yes.

11254. Sir *Charles Wingfield.*] Do you know anything of the Hooghly?—No, except from looking at the charts.

11255. Mr. *Price.*] I understand you to say that the benefit which will arise from the breaking up of this system practically will be, that the benefit will be in the future, and not in the past?—Yes.

11256. If the benefit is for the future, would it not seem better that the future should pay for it?—That proposition seems to hold water at first sight, I think.

11257. And the burden that is going to be taken off is going to be taken off the future shipowners who come to Liverpool?—Yes.

11258. Therefore they are the men who should pay for the relief?—I don't see the logic, but speaking as a shipowner, I should be agreeable to pay my share, the advantage would be so great.

11259. *Chairman.*] At present, I believe, the only mode of punishing pilots is practically by suspension?—There is discharge also.

11260. Discharge,

11260. Discharge, suspension, fine, or degradation?—Yes.

11261. The pilots do not get any punishment in the way of loss of employment, do they?—I consider that suspension is loss of employment.

11262. That is, for a time; but when he reverts back upon the list, he is then employed equally with any other pilot?—Equally with any other pilot, except his punishment be a degradation to a lower grade.

11263. If this Bill which is now before the Committee passed into law, will not the effect be that if a man is negligent in the service of the pilots he will lose employment?—Yes.

11264. Is not that a better punishment than any that could be inflicted upon him by the pilotage committee?—Yes.

11265. Mr. *Graves.*] As to the shipping of the port of Liverpool bearing the compensation for the boat owners, is there any amount of tax or higher pilotage that you would propose that the shipping should bear?—I have not thought of any scheme whereby the money should be raised. I only expressed my opinion that if, in order to get rid of the present system, the charge did come upon shipping, I would not be disagreeable to it. I do not see why it should come upon shipping, but if it did, I would be willing to bear my share.

11266. Do you think that the Dock Board would be likely to raise the money on the uncertain security of an optional Pilotage Bill?—I do not know why the Dock Board should meddle with it.

11267. I thought you rather favoured the idea of the Chairman that the Dock Board should do it?—I must have been misunderstood, for I do not see the least reason for the Dock Board doing it. The parish might as well do it as the Dock Board.

11268. Any compensation that would have to be awarded to the owners of these boats would be an obligation of the port, would it not?—I do not know how to answer that question. The charge has been sanctioned by regulations and practices which have grown up in the past.

11269. *Chairman.*] But the benefit resulting would be to vessels or shipowners in the future?—Yes, they would be put upon a fair footing. Whether they should pay for being put upon a fair footing is a question which I cannot answer.

11270. Mr. *Graves.*] Would you not consider that any compensation arising to the boat owners should be acquired out of the pockets of the shipowners visiting Liverpool during the time that the trade was formed?—That appears most reasonable, but I own to great difficulty in saying what fund it ought to come out of.

11271. I want to ask you as to whether it is not inconsistent with that view of the question that you should be releasing at the same time the shipping of the future from the obligations by the voluntary system which you propose under this Bill?—In releasing the shipping of the future, you are merely putting it upon a fair footing.

11272. *Chairman.*] They would be a gainer by this Bill, would they not?—They would be no longer unfairly taxed.

11273. Mr. *Graves.*] Have you made any calculation of what is the net interest which the boat owners receive out of the boats?—No, I have not. I have heard that they receive about 10 per cent.

11274. If it was shown that they received, after deducting for insurance and interest, something like eight or nine per cent., would you consider that they received an excessive rate of interest upon the adventure?—I do not think that that is an excessive rate of interest upon a shipping adventure; but you must bear in mind that there is a very exaggerated value attached to the boats; on the intrinsic value of the vessels a great deal more than 10 per cent. is paid.

11275. Do you think your shareholders would be exceedingly well satisfied if only eight or nine per cent was paid?—I think so.

11276. *Chairman.*] You said that the system of boat owning was unwholesome; I presume that is the case whether the pilotage is compulsory or voluntary?—I do not say that the system of all boat owning is unwholesome.

11277. But you consider that the present pilotage system of Liverpool has been unwholesome?—Yes.

11278. Is that irrespective of the Bill before the Committee, or whether pilotage is compulsory or free?—Yes.

11279. Is it not considered by the pilotage committee that it would not be desirable to get rid of this system?—It has not been considered during the time I have been a member of the committee.

11280. Have you yourself considered whether it would be possible to get rid of it?—I have considered it possible.

11281. Have you considered it quite irrespective of the Bill before the Committee?—I have very frequently thought so, long before the Bill was introduced.

11282. Out of what funds should you consider that the compensation should be made; from what source should you consider that the necessary funds for doing away with the system should be obtained?—I think that that is a very difficult question to answer.

11283. Do you think that there is any right in asking the country generally to pay it?—There is a *primâ facie* ground, as the country has authorised it.

11284. You mean, inasmuch as it is under the Local Act?—Under the license of the Local Act this has been carried on for years, and has been the subject of enactment.

11285. But it has been purely a local matter, has it not?—It has been done in one place, and to that extent it is local.

11286. And the benefit of getting rid of it would fall only upon the local trade?—The benefit would fall upon the consumer, wherever he might use the articles that were carried.

11287. Colonel *Bourne.*] You suggest that the parish should give something, do you not?—I said that the parish might as well do it as the Mersey Dock Board; but the parish has no right to do it.

11288. Are you aware that there is a very small portion of the docks in the parish?—Yes.

11289. You also stated, I believe, that you did not advocate the rates being fixed by statute?—No, I think not; but I speak with doubt and hesitation about the future, because I cannot tell what form it would take; but I see no rock ahead in adopting the voluntary system.

11290. Do you think the present rates excessive?—Yes, I do.

11291. *Chairman.*] Have you considered whether a small charge might be left without doing away with the system of boat owning?—That

Mr. *A. Holt.*
14 June 1870.

That is a question that would require a great deal of thought; but I should not object to it if it was left.

11292. Sir *Henry Selwin-Ibbetson.*] I believe the shipping interest of the port generally, with the exception of some of the owners of the steam shipping trade of Liverpool, is not in favour of the change?—I am not aware of it.

11293. Are you not aware that they have expressed decided opinions against the change?—I believe some have; but I am aware that some very large shipowners have expressed opinions in favour of it.

11294. One or two owners of steamships?—Yes.

11295. But you do not know of any instance of any owners of sailing ships expressing an opinion in favour of it?—I am not aware of that.

11296. I believe the Shipowners' Association has not expressed any favourable views with regard to this Bill?—I am not aware that they have.

11297. Would you think it fair that they should be taxed, not having expressed a decided opinion for a change of this sort?—I do not see any *vis consequentiæ* in the matter.

11298. They think that the present system should be maintained, do they not?—Yes, I believe some do.

11299. And therefore it would be hard upon them that a change should take place which would be a tax upon them for the future?—It would be accompanied by a diminution of charge.

11300. Which is a thing they do not ask for?—No; but it is a thing they would be glad to take; I am sure of it.

Mr. Henry Owens Johnson, called in; and Examined.

Mr. *H. O. Johnson.*

11301. *Chairman.*] You are senior partner in the firm of John Granger & Company, at Liverpool?—Yes.

11302. I believe they are the owners of a line of steamers running between Liverpool and Belfast, and Liverpool and Londonderry?—Yes.

11303. You send six steamers per week to Belfast, two to Londonderry, and two to Silloth?—Yes.

11304. And you have the same same number of vessels inwards?—Yes.

11305. Do you supply pilots for those steamers?—No, we do not employ pilots.

11306. But like the other lines of coasting steamers, you are subject to a charge for pilotage, are you not?—Yes.

11307. Do you have no occasion to employ them at any time?—We never do employ them.

11308. Do you consider your captains more competent to manage the vessels, and to pilot the vessels in the Mersey, than the pilots?—Yes.

11309. Is it not the fact that they have greater experience?—Yes.

11310. Their entries into the Mersey are more frequent than those of the pilots themselves?—Yes.

11311. I apprehend that you consider that the vessels of your company should not be called upon to pay any pilotage at all?—We think so.

11312. Have you heard the evidence which has been given by Mr. Holt?—Yes, I have.

11313. Do you agree with it so far as regards the general principle of the Bill, which is before the Committee?—Yes.

11314. Are you of opinion that the pilotage should be made free at Liverpool, and generally round the country?—I think it should.

11315. Do you think, under the voluntary system, there would be sufficient pilots to meet the demand for them?—I have no doubt of it whatever.

11316. What is your opinion of the effect of the present system?—I do not know very much about it, except the pilots whom we use ourselves.

11317. And as far as concerns your own firm, do you think it unjust?—I think so.

11318. Mr. *Graves.*] Do you consider that there would be sufficient pilots to meet the demand, under any system?—I think there would.

11319. You have stated to the Committee that your captains are so experienced, that they are better qualified to bring their vessels in and out than the pilots are?—Yes.

11320. Is it your opinion that there would be sufficient pilots to meet the demands, at all based upon the fact of you and others claiming exemption from all pilotage?—No, not at all.

11321. But I suppose the more people share your views the more likelihood there will be of your having sufficient pilots to meet the demand?—I do not know anything about that; I suppose it would have that effect.

11322. Why do not you yourself get exemption from the rates; you pay now a shilling a foot, do you not?—Yes.

11323. Why do you pay a shilling a foot?—By an agreement with the pilotage committee.

11324. Why do not you ask that your captains should be licensed, and so save the shilling a foot?—We never thought it necessary to do that.

11325. Are you aware that you have now a most perfect power of demanding that your captains upon showing themselves to be qualified shall receive licenses?—We believe we can, but we never asked it.

11326. Do you consider that the saving of a shilling a foot is so trifling that you are satisfied to go on without asking for your captains to be licensed?—Our captains have an objection to going up to be examined. Some that did go up found difficulties thrown in their way.

11327. Have you ever made any application for any one of your captains to be examined?—No.

11328. Then your idea that they do not like to be examined is based upon some report, and not upon any experience of your own?—It is based upon the report of other captains who have gone up and been rejected.

11329. But is there any reason why your captains, if they show themselves to be qualified, should not receive licenses?—No.

11330. And if they were licensed, would you not be exempt under the present legislation from all taxation on account of pilotage in Liverpool?—I do not know that, but we have some with licenses, and we pay a shilling a foot for them.

11331. *Chairman.*] I believe you have found great unwillingness on the part of your masters to go up for examination?—Yes; but some of our

our masters have a pilot's license, and we pay a shilling a foot for them as well.

11332. I believe you do that under an arrangement made some years ago with the pilotage authorities?—Yes.

11333. And that was at a time when they were extremely unwilling to examine masters?—Yes, we had to apply to the Board of Trade.

11334. And you thought it best to continue the payment rather than to force your masters to be examined?—Yes.

11335. Do you see any reason why you should be called upon to pay the shilling a foot?—No.

11336. Mr. *Graves.*] Have you ever applied to the existing Dock Board since they have received power to license masters and mates, for a license for any of your masters or mates?—We have not.

11337. *Chairman.*] Have you thought it useless to do so, after your former experience?—Yes.

11338. Mr. *Stevenson.*] Do your ships carry passengers?—Yes.

11339. Some of your captains are not certificated are they?—They must have certificates.

11340. Have all your captains certificates?—Yes.

11341. I gathered from you that only some of your captains had pilotage certificates?—Some of our captains have pilotage certificates, and not masters' certificates.

11342. They hold pilotage certificates?—Yes.

11343. Then do you comply with the general law which requires that coasting vessels carrying passengers should either have a pilot on board, or that the master should have a pilotage certificate?—We do not comply with that at all, and very few coasting steamers do.

11344. How do you exempt yourself from the general law?—It is winked at.

11345. Then you pay a shilling a foot to the Mersey Board in consideration of their winking at your violation of the general law?—That is about it.

11346. Are you aware that there is a general law requiring all coasting steamers carrying passengers to have pilots on board in pilotage waters, unless the masters hold pilotage certificates?—There is such a law.

11347. Does not that law apply to the port of Liverpool?—Yes, it applies to all ports.

11348. And you obtain exemption from that law by paying a shilling a foot to the Mersey Dock Board?—No, we do not; that would not exempt us from the action of the law.

11349. But you are exempt from it, are you not?—The question has never been tried.

11350. So that somehow or other in the Port of Liverpool, you get rid of the obligation which rests upon passenger steamers in other ports, even where pilotage is voluntary?—Yes.

11351. You have, somehow or other, more liberty in the compulsory port of Liverpool, than they have in some other ports where pilotage is voluntary?—No we have not, because in other ports the captains get a license very easily; they have nothing to do but pay a guinea, and there is no examination whatever. In Belfast and Londonderry you pay a guinea a year for the captains, and you get a license without any difficulty.

11352. *Chairman.*] Do you get a license without any examination?—There is very little examination; it is only formal.

11353. Mr. *Stevenson.*] It is still impressed upon my mind, that the shilling a foot is exacted from you in order to save your captains going up for examination as pilots?—No, it is not; if we were obliged to wait for pilots, we could not do the work which we are doing; it is to save us waiting for pilots.

11354. That is a very good reason why all your captains should have pilotage certificates, but it seems to make very little difference whether your captains have pilotage certificates or not?—Very little in Liverpool, and that is the reason why we wish to have voluntary pilotage legalised.

11355. Mr. *Price.*] Will you tell the Committee what you get in return for the shilling a foot?—If we took a pilot, we should have to pay four shillings a foot, or even if a pilot offered, and there were disputes whether the pilots offered or not, and over and over again we had to pay four shillings a foot, when we did not see a pilot at all; so we made this arrangement, and all coasting steamship owners made an arrangement with the pilotage committee that we should not be asked for pilotage, and should not have pilots, and that we should pay a shilling a foot as a commutation.

11356. As a commuted rate?—Yes.

11357. And then you did not take a pilot at all?—No, even though the masters had no pilotage certificates.

11358. The object of a compulsory pilotage system is supposed to be for security to life and property?—It is supposed so.

11359. But that security to life and property, is bartered away for the payment of a shilling a foot, is it not?—I do not think so, because we consider our masters are more competent to bring the vessels in and out of Liverpool than the pilots.

11360. That is as far as you are concerned; but to those who have to provide this protection to life and property, at all events, this reduced state, is a sum of money which they receive for the purpose of dispensing with that protection?—Yes; but it does not protect us from the risk, if we send out a vessel without a competent man in her.

11361. To whom do you pay the shilling a foot?—To the pilotage committee; it goes into the pilot fund of Liverpool.

11362. Is that done with the knowledge and consent of the authorities?—Yes, it is by the pilotage committee's agreement.

11363. The pilotage committee is, perhaps, not the pilotage authority of the port; is it with the knowledge of the pilotage authority?—Yes.

11364. What is the pilotage authority of Liverpool?—The pilotage committee.

11365. Do you know who appoints the pilotage committee?—I do not; they are an elected board.

11366. Is it the Mersey docks and harbour board?—The Mersey docks and harbour board appoint some of them, and the shipowners appoint the others.

11367. Do the Mersey board know that the shilling a foot is paid as a commutation of the liability?—The Mersey board do not care whether they do it or not; they are not the pilotage committee.

11368. Does the ultimate authority know the fact that this liability is got rid of by the payment of a shilling a foot?—The pilotage authorities

Mr. *H. O. Johnson.*

14 June 1870.

rities are aware of it; the governing body of the pilots are aware of the agreement; it is made with them.

11369. Mr. *Stevenson.*] Does it go to help the pilot's earnings?—Yes.

11370. And the protection to life which was intended by the Legislature, is not given in those cases, but the pilots get an addition to their pay for what they do not do?—That is so.

11371. Mr. *Price.*] Do you ever take pilots at all?—We have not taken a pilot for 10 or 12 years.

11372. Then all your masters are competent, I suppose?—Yes.

11373. Supposing they had licenses, would you be called upon to pay a shilling a foot?—No.

11374. But you prefer paying the shilling a foot to prevent the captain's undergoing that peculiar examination by which they are made competent?—Yes.

11375. What is the average draught of your steamers?—Twelve feet.

11376. So that it is 12 *s.* a trip which you have to pay?—Yes.

11377. Is that both in and out?—No; in only; we do not pay going out; it is simply that we commute for a shilling a foot per voyage.

11378. Then it is 6 *d.* a foot only in effect?—Yes.

11379. As long as you pay a toll of a shilling a foot, they do not put the law in force against you?—That is so.

11380. But would you not rather be relieved from this liability without any payment at all, even though it be only 6 *d.* a foot?—Yes.

11381. Do not you think that if you can be relieved of it with safety by the payment of 6 *d.* a foot, you can be relieved of it as safely without the payment of 6 *d.* a foot?—Yes; but we are not relieved by the payment of 6 *d.* a foot now.

11382. But you would be relieved by voluntary pilotage, would you not?—Yes; that is one of the principal reasons why we are urging voluntary pilotage.

11383. You desire to have the voluntary pilotage, in order to be relieved of the payment of 6 *d.*, a foot which now exempts you from what you think an unnecessary and uncalled for liability?—Yes.

11384. And you think, if you can safely be relieved of it by the payment of 6 *d.* a foot, you can safely be relieved of it without the payment of anything at all?—Yes.

11385. Mr. *J. S. Hardy.*] By this payment you have the right to employ a pilot, if you think proper?—Yes.

11386. If you took a pilot, would you have to pay him in addition?—We have to pay in addition for pilotage.

11387. Can you tell what is the average sum which you pay in the course of the year for pilotage?—From 350 *l.* to 400 *l.* a year.

11388. And do you really value the feelings of your captains so much, that you pay 350 *l.* or 400 *l.* a year voluntarily, and prevent them passing the examination?—We have made an agreement with the pilotage committee to that effect.

11389. But if you sent your captains up for examination, might you not avoid the payment altogether?—Yes; but we agreed to pay it, and it is part of the agreement.

11390. If you thought proper to send your captains up for examination, you would not be liable for compulsory pilotage, and this agreement would come to an end even though you valued the scruples of your six captains so much that you paid 350 *l.* a year voluntarily to save them the trouble of going up for examination?—No; we value our agreement so much.

11391. The pilotage committee can make any agreement with you if your captains are licensed, can they not?—But they have made an agreement with us.

11392. But that agreement cannot last for ever; if you comply with the provisions of the present law, you can be bound by no agreement against it; if your captains get certificates no agreement would stand against them; I cannot help thinking that you are not aware of the fact that if your captains got certificates you would save the 350 *l.* or 400 *l.* a year which you now pay?—I was not aware of that; but you find that other companies do the same, who have got certificated captains.

11393. Colonel *Bourne.*] Is that so; do they pay the pilotage if their captains have passed the examination?—We pay it.

11394. Mr. *J. S. Hardy.*] But does any company who have all their captains certificated, still pay?—Some of them told me that they do.

11395. If all your captains were certificated, you would not have to pay anything, would you?—I was not aware of that.

11396. Colonel *Bourne.*] Are you aware that the shilling a foot is sanctioned by the Board of Trade?—No; I am not aware of that.

11397. It is so, I can assure you; were you aware of that Order of the Board of Trade (*handing the same to the Witness*)?—I was not.

11398. Are you not aware that you might claim exemption from the shilling a foot by allowing your captains to pass the examination and being duly qualified?—I have heard that to-day.

11399. Have you read the Bill?—No, I have not.

Mr. Robert Chaddock, called in; and Examined.

Mr. *R. Chaddock.*

11400. *Chairman.*] You are a Master Mariner, I believe?—I am.

11401. And I believe you have been at sea for the last 20 years?—I have been master of a ship for 29 years.

11402. During that time have you traded from Liverpool to London and the Bristol Channel?—Yes.

11403. Are you well acquainted with all three of the estuaries?—Yes.

11404. Since 1848, I believe, you have traded from Liverpool in the foreign trade to the Brazils and the Mediterranean?—Yes.

11405. Are you now commanding your own vessel?—Yes.

11406. What is the size of your vessel?—187 tons.

11407. Are you well acquainted with the Mersey and its approaches?—I am.

11408. If you were free to take a pilot or not, should

should you take one?—I should like to have the option of doing so; I may take a pilot in, but I should not take one out, because we are invariably towed out by steam.

11409. Are you so well acquainted with the navigations that, as a general rule, it would be unnecessary to take a pilot outwards?—Yes; but, as a general rule, I should take a pilot inwards.

11410. At present are you not bound to take pilots?—Yes; but in the event of my taking a pilot I would have my choice; that is, I would not be bound to take an apprentice.

11411. You would wish to have a competent man?—Yes.

11412. I think for many years you commanded a vessel called the "Regina," of 237 tons?—Yes.

11413. What was her draught?—She drew from 15 to 16 feet of water.

11414. And her tonnage was under the amount which entitled her to a first-class pilot coming into the Mersey?—Yes.

11415. She was bound to take a second-class pilot?—An apprentice.

11416. I understand you to say that you consider it should be at the option of the shipowner to take a pilot or not?—Yes, I consider that it should be voluntary.

11417. Do you think it a hardship that you were bound when in command of this vessel to take an apprentice instead of a thoroughly competent pilot?—I do.

11418. Is it your opinion that compulsory pilotage should be abolished?—It is my opinion that compulsory pilotage should be abolished.

11419. Have you considered what will be the probable effect of the passing of the Bill which is now before the Committee?—Yes.

11420. Are you of opinion that, under the voluntary system, there will be a sufficient supply of pilots?—Yes, I am.

11421. Would you propose that the system of licensing pilots should be done away with?—No; I approve of the licensing system.

11422. Do you think that, under the voluntary system, the supply of pilots will maintain itself equal to the demand?—Yes; and I think we shall have a more efficient class of pilots than I have been in the habit of getting at Liverpool.

11423. Your impression is, that there would be a more efficient class of pilots than you have been in the habit of getting?—Yes.

11424. Have you always been in the habit of having the apprentices forced upon you?—Yes, except when they cannot help themselves; where there are none aboard. If the apprentices are all gone before I come up to the pilot station, they put a journeyman on board.

11425. You want the option of taking a better class of pilots or none?—Yes.

11426. Have you discussed the question of pilotage with many of the pilots of Liverpool yourself?—I have, frequently.

11427. What is the general feeling among them as regards pilotage?—The general feeling is, that the voluntary pilotage would be the best, with those with whom I have discussed the matter.

11428. Is there any discontent among the pilots as to the present system of boat owning?—There is some discontent, as I have heard from the men who have gone with me on different occasions.

11429. Have you formed an opinion yourself upon the present system of boat owning of Liverpool?—No; I cannot form an opinion as regards the boat owning, except from what I have heard.

11430. It has been stated to the Committee that, in the event of pilotage being voluntary, the pilots would not be found by vessels in bad weather?—I believe they would be found, as much as they are now, and that they would be found further down. I believe we should have pilots at Tuscar, under the voluntary system.

11431. Under the voluntary system, you think that there would be an inducement for them to go out much further, and even in very bad weather?—Yes.

11432. Does your experience of the Bristol Channel extend over both the compulsory and voluntary systems?—It does.

11433. What is your experience of the change which was effected there?—We get pilots now with much more ease than we could previously under the compulsory system; the pilots are more numerous than they were under the compulsory system.

11434. Is that going up the Bristol Channel?—After you get above Lundy you get pilots for Cardiff and Newport, whereas, under the compulsory system, there were only Bristol pilots, and they were very few.

11435. Whereas now they are much more numerous?—Yes.

11436. In fact, there is a difference between having to seek your pilots and the pilots seeking you?—Yes, there is a great deal of difference in that; and I have found the difference in my own experience.

11437. At Queenstown the pilotage is voluntary, is it not?—Yes.

11438. Have you often been into that port with and without a pilot?—Yes.

11439. Have you ever found any difficulty in finding a pilot when you wanted one?—None whatever off Queenstown. We meet them off Cape Clear very often.

11440. Have you seen them at that distance in bad weather?—I have seen them at that distance in bad weather; and there are pilots residing at Crookhaven licensed for Queenstown, and also at Kinsale, and you often see them out in bad weather.

11441. And you have taken them yourself?—Yes.

11442. At Waterford the pilotage is compulsory, is it not?—Yes.

11443. What is the difference you find in comparing Waterford with Cork?—You can seldom get a pilot in Waterford in bad weather; I have known ships blown away from Waterford from not having pilots out. I have been into Waterford and have not found a pilot outside the bar many times.

11444. Comparing Waterford with Cork, do you find that the voluntary system acts as a greater inducement to pilots to go out, than the compulsory system?—Yes.

11445. Are you also well acquainted with the port of London?—Yes, I am.

11446. Have you considered the navigation of the Mersey as compared with that of the Thames?—I have.

11447. Which do you think is the most difficult?—I think, on account of the prevailing winds, nine months out of 12 being from the westward, that the navigation at Liverpool is more

Mr. *R. Chaddock.*

14 June 1870.

dangerous than that at London; but if there were nine months out of 12 from the eastward, I should consider London more dangerous than Liverpool.

11448. In coming up the Mersey, do you think that the present system of stations acts well or not?—It acts well at Point Linas, for steamboats, but not for sailing ships. I avoid it myself, because I remember coming in from Point Linas, and a very strong gust of wind came off there and nearly capsized my ship. I went away without a pilot, and I have never been near there since for a pilot in stormy weather.

11449. Under the voluntary system of pilotage, do you think that the pilot boats would be more numerous, and would come out further to meet you?—Yes.

11450. Have you had any experience of the London pilots yourself?—I have.

11451. I think in the year 1860, you took a London pilot outwards?—Yes.

11452. What was your experience on that occasion?—Another vessel with my own left London Dock together, both bound to same port, Genoa. We were towed down as far as Sea Reach. I am acquainted with the navigation of the port of London. I was trained as a pilot for the Thames.

11453. Were you compelled to take a pilot?—Yes, because I did not take a license out. It was a fine night, and I wanted to get the ship under weigh at 12 o'clock, while the wind was from the eastward, so that I could get her down to the Mouse by daylight, and the pilot said his rules were not to work at night time. I said, "You shall not interfere with me." He said he would not let her get under weigh. I said I would get her under weigh. I told him I would put him in irons if he did not let the ship get under weigh; he went below to sleep. I got the ship under weigh; and before he came on deck, I was down in the Downs.

11454. How long were you acting as a pilot in the Thames?—I was brought up as a pilot between Waterford and London. I got a better situation as a master of a ship, and I preferred that.

11455. Did you take a certificate for the Thames?—No, I did not.

11456. But you qualified for the Thames?—I qualified myself then for a pilot, but I did not think it worth while to pass. I would rather take charge of a vessel going foreign.

11457. Do you realise any difficulty in the navigation of the Thames so as to make the voluntary system inapplicable?—No; my little brig hails from London, and I am allowed to pilot my ship in her own waters the same as at Falmouth, although it is compulsory pilotage; every ship is exempt in her own waters. I am exempt on account of having a vessel hailing from London, from the docks down to Gravesend.

11458. But not beyond Gravesend?—No.

11459. From Gravesend it is compulsory?—Yes.

11460. Do you think there is any reason for maintaining the compulsion beyond Gravesend?—No; I think the voluntary system would act better.

11461. Should you, as a rule, take the pilot outwards from the Thames?—No, I do not do it now; I came once from foreign to London, and I took a cargo of pitch to Cardiff. I took no pilot down, but I was compelled to take one up; but in Liverpool, if you come from foreign and go out coasting, loaded or light, you are bound to take a pilot and pay foreign pilotage.

11462. You come into the Thames from a foreign port light, and you are bound to take a pilot; you go out on a coasting voyage heavily laden and you are not bound to take a pilot?—Yes.

11463. Though in the latter case it is more necessary to have pilots than in the former case, if at all?—Yes.

11464. Then on the whole you are of opinion that the present law which compels you to take a pilot is a hard one?—Yes.

11465. And you think there should be a voluntary system leaving it to your option to take a pilot or no?—Yes.

11466. Mr. *Graves.*] You said you would like to have it optional outwards for you to take a pilot or not?—I should like it optional outwards and inwards.

11467. But you stated that you would generally take a pilot inwards?—If I was away from Liverpool any length of time I should deem it consistent to take a pilot.

11468. But outwards you would not take a pilot?—No.

11469. Is that because you consider yourself qualified to take a vessel out?—Yes.

11470. Is that the view entertained by many of your brother shipowners and captains as regards the outward pilotage?—Yes.

11471. You consider it a hardship to have to pay pilotage dues outwards?—Yes.

11472. Have you been able to persuade the pilots that it would be for their benefit to deprive them of the dues of pilotage outwards?—I have not.

11473. Mr. *Wykeham Martin.*] You say that you know the London river?—Yes.

11474. Has your attention been called to the exemption from liability of steamers with pilots on board in case of collision?—Yes.

11475. If a steamer runs into another with a pilot on board, you can recover no damages?—No.

11476. Do not you think that the fact of the existence of compulsory pilotage tends to make the steamers very careless in the London river?—I do.

11477. Do you consider it is fair upon you, that if you come into collision with a steamer from no fault of your own, you should have no remedy against the steamer if a pilot is on board that steamer; do you consider it fair to yourself?—I do not think it is fair.

11478. May I go so far as to say that steamers are very careless through this exemption from liability?—I could not say that.

11479. But they are not as careful as they might be, in consequence of this exemption?—No, I think not.

11480. Mr. *Price.*] I think I gathered from what you said in the early part of your evidence, that one of your complaints with respect to the pilotage at Liverpool was, that you had very frequently to put up with an apprentice?—According to the present law, I am not privileged to have anything else but an apprentice on account of not commanding a ship over 187 tons register.

11481. Then they have the right to put an apprentice on board?—Yes.

11482. Do they ever put anything besides an apprentice?—Yes, occasionally, when there is no apprentice

apprentice on board off Point Linas, then I have a journeyman pilot.

11483. Have you any reason to suppose that they would single you out, to put an apprentice on board of you?—They have singled me out as far as that is concerned, on account of the register of the ship.

11484. And for no other reason?—No.

11485. They give you the benefit of instructing their apprentices, do they?—I have had to do so.

11486. How many years must a man have served as an apprentice before he can take the command of a vessel larger than yours?—I cannot say.

11487. But at all events, they are entitled in vessels of the size of yours to make you put up with an apprentice pilot?—Yes; although we draw more water than other ships. I have been up many times with ships, but of a larger register, drawing less water than my brig; they can claim a first-class pilot, and I have to put up with an apprentice.

11488. As a matter of fact, you have to teach the apprentice, instead of the apprentice teaching you?—Yes.

11489. And you are a kind of schoolmaster for the apprentice?—Yes; we small vessels out of Liverpool are training ships for the pilots.

11490. You are a sort of education board?—Yes.

11491. But you are not paid for it?—No; but we have to pay.

11492. You have to pay for the privilege of teaching?—Yes.

11493. You told the honourable Member for Liverpool, that you had not been able to persuade the pilots that it was for their good that they should lose the outward pilotage fees; perhaps you have not tried?—I have not made the attempt.

11494. Is it your impression that the pilotage fees were authorised for the benefit of the pilots, or for the benefit of the shipowners?—I should think that they were authorised for the benefit of the pilots.

11495. You think that they get the most out of it?—Yes.

11496. Is that the idea with which the system was received; do they put it forth that the system was devised for the benefit of the pilots, or do they put it forward that it was for the protection of the shipowners?—They say that it is to protect the shipowners.

11497. Therefore the shipowner is a better judge of the necessity for protection than the pilot?—Yes.

11498. More particularly so if, when the master of a ship gets a pilot, he is obliged to teach him?—Yes.

11499. You said that you have had some experience of the Bristol Channel?—Yes.

11500. What ports have you traded to in the Bristol Channel?—Swansea, Cardiff, Newport, and Bristol, and I have been to Gloucester, but not frequently.

11501. But you have been to Newport and Cardiff?—Yes.

11502. What cargo have you taken into Gloucester?—Wheat.

11503. From Liverpool?—From London.

11504. Of late years?—No, that was some years back.

11505. Have you been to Bristol of late years?—I was in Bristol (the Bristol Channel) last September.

11506. Cardiff?—I was last September at Cardiff.

11507. With regard to Swansea, do you think that compulsory pilotage is at all necessary with respect to the port of Swansea?—I do not.

11508. Is there any difficulty at all in getting into Swansea?—Nothing more than sailing in between the pier heads; there is the Mixen outside the Mumbles.

11509. But they are laid down on the chart?—Yes.

11510. It is not a shifting bank?—No.

11511. It is always there?—Yes.

11512. Is there any state of wind which would make it difficult to get into Swansea?—In an easterly wind you must have a nice steering ship to get in between the pier heads.

11513. A pilot does not steer the ship, does he?—No, the captain does that in general.

11514. Would the pilot be of any assistance to you in a gale of wind, in getting in between the pier heads?—He would know better than I when the tide sets on the pier head, some shipmasters may go there more frequently than I and they would know as well as the pilot.

11515. Then, but for getting a pilot to assist you in getting into Swansea Harbour, you would not want to take him till you got to the Mumbles?—No, not until I got inside the Mumbles.

11516. One or two of the Swansea witnesses said that it was very important for a Swansea ship that she should get her pilot about Lundy; do you see any necessity for a pilot at Lundy to take a vessel?—No.

11517. The Mumbles is not a bad place to lie?—No; only in easterly winds.

11518. Under the voluntary system, you would never be afraid of finding a pilot at the Mumbles, if you wanted him, would you?—No.

11519. If you did not find him at the Mumbles with an easterly wind, you would find him at Bideford Bay?—Yes.

11520. At one of these places you would be sure to find him?—Yes.

11521. You have not been to Gloucester since the voluntary pilotage has been in force?—No.

11522. When you were last in Bristol and last in Gloucester compulsory pilotage was in operation?—Yes.

11523. But you have been into Newport and Cardiff since the non-compulsory system has been in operation?—Yes.

11524. Have you had occasion to take a pilot while in those two places?—I take a pilot into Cardiff and Newport.

11525. Whenever you go?—Yes.

11526. Is there any difficulty in finding him?—No.

11527. Do you find him as far down the Channel as you want him?—I have found him down at Lundy, but I do not take them till I get to Penarth Roads.

11528. Where do you take him for Newport?—I take him at Penarth Roads, for Newport also.

11529. Whether it is for Newport or Cardiff, you take him at Penarth Roads?—Yes.

11530. Have you been there often enough to be able to say that, as a rule, Cardiff and Newport are effectually supplied with pilots under the existing system?—They are.

11531. And there is no doubt of it?—No.

Mr. *R. Chaddock.*

14 June 1870.

11532. And you have no more doubt that that would be the case at Liverpool, than you have that it is the case in the Bristol Channel?—That is my opinion.

11533. Have you had to school any apprentices going up to Newport and Cardiff?—No.

11534. You are not a schoolmaster in the Bristol Channel, but only in the Mersey?—Only in the Mersey.

11535. Mr. *J. S. Hardy.*] You say that you think that with the voluntary system of pilotage you would find a larger number of pilots brought into the Mersey, and that it would be more easy to get pilots?—Yes.

11536. Did you hear the evidence of the first witness, who said that it would be necessary to reduce the number of pilots?—I could not hear what Mr. Holt said.

11537. He is better qualified to know what is the proper number of pilots in the port than you are, is he not?—Yes.

11538. With regard to the employment of pilots in the Bristol Channel since the voluntary pilotage has been introduced, has there been a greater selection owing to the nature of the trade in the Welsh ports?—Yes.

11539. Formerly the compulsory pilots had very little to do except for Bristol and Gloucester, and there was not the same amount of trade, was there?—No; but nevertheless the pilots claimed ships from Cardiff and Newport.

11540. Then there were a much smaller number of pilots, because there was not so large a trade?—That is so.

11541. And the increase of pilots may be attributed as much to the increase of trade as to the voluntary system?—Yes.

11542. *Chairman.*] When your vessel is going on a coasting voyage from London to Cardiff, outwards from London, it is not bound to take a pilot?—No.

11543. When going from Liverpool outwards on a coasting voyage you are bound to carry a pilot, is that so?—Yes, and I am bound to pay a foreign pilotage though I am going coastwise.

11544. Do you consider that the present rate of charges in Liverpool are rather hard upon the small class of vessels?—Yes; they pay more in proportion to the others. They pay so much per foot. They pay more than the large vessels, but the most just way of payment would be according to the tonnage.

11545. What water does your vessel draw when fully laden?—The present one is 14 foot, but the "Regina" I had coming from Buenos Ayres drew as much as 16 feet. It was only 237 tons.

11546. Therefore it paid as much for pilotage as a much larger vessel drawing the same amount of water?—I have gone up with cotton loaded vessels drawing less water, with three times the tonnage of cargo on board them that I could carry, and I have had to pay more for pilotage because I have drawn more water; and I have had to put up with a boy when those ships, being more register, claimed a journeyman pilot. There is a great difference in the efficiency of journeymen pilots and apprentices.

11547. So that you have had to pay more for a worse article than the other vessel, which is much more valuable, carrying a greater cargo?—Yes; and the apprentice boys are not so efficient now as they were 15 years ago.

11548. Why is that?—Because we invariably tow out and tow in, and it is scarcely ever that you see a vessel beating in or beating out of Liverpool.

11549. Do you consider that if vessels are in the tow of a tug, it would, as a general rule, relieve them from the necessity of taking pilots?—I do, going out of Liverpool.

11550. But with regard to coming in?—It would relieve them, to some measure, in coming in, too. Some take pilots. A great many would not take pilots when they have a steamboat in tow.

11551. Is it not the fact that a steamer towing is always under the command of the captain or the pilot?—No; it is generally under the command of the captain of the steamboat.

11552. Does not he take his orders from the captain of the vessel?—No.

11553. Is he not directed by the captain of the sailing vessel?—No.

11554. Do you generally take a steamer up the Thames?—I do; from Gravesend up.

11555. But not as far as Gravesend?—Not below Gravesend.

11556. In going into Liverpool, do you take a steamer?—Generally. I always take one out. I engage them a week or ten days before the vessel goes to sea.

11557. Do you think that if the Bill passes into law, you can devise some system of charges into Liverpool which will fall more equally upon the different classes of ships?—Yes; it ought to go by registered tonnage as well as by draft.

11558. But the registered tonnage should be taken into consideration as well as the draught?—Yes, like the light dues, I think that is the fairest system.

11559. Mr. *C. Turner.*] I think you say that the pilotage fee ought to be regulated more by the tonnage than by the draught of water?—I think the best system would be, upon the same principle upon which the light dues are paid, according to the registered tonnage combined with the draft.

11560. Is there any similarity between the two; you are an experienced seaman, and you know that the more your vessel draws the more likely she is to get ashore in shallow water?—Yes; my vessel draws more water, and I am only privileged to have an apprentice.

11561. You are not answering my question; you have given an answer to this effect to the Chairman, that you think the pilotage fee ought to be regulated rather by the tonnage of a vessel than by the draught of water?—Yes; my reason for saying that is, that small ships draw more water in proportion than what large ones do; therefore, by paying by the foot, the smaller ships are heavier taxed than the larger ones.

11562. Is not the risk increased in proportion to the draught of water?—Yes.

11563. Therefore, is it not fair that the pilotage fee should be regulated by the degree of risk that is incurred in taking the vessel in?—Yes, I think so certainly; perhaps both should be combined together.

Mr. FRANCIS CHARLES BECKETT, called in; and Examined.

11564. *Chairman.*] I BELIEVE you are a First-class Licensed Pilot of the port of Liverpool?—Yes.

11565. When did you obtain your license?—I obtained my first license in 1853.

11566. Previous to that you served your apprenticeship seven years?—I served three years in the pilot service and four years at sea.

11567. Did you attend a public meeting of the pilots, held some weeks ago, to consider this Bill?—I did.

11568. Were you appointed by that meeting to come up to London to give evidence in respect of it?—I was.

11569. What was the feeling of the majority of the pilots at that meeting?—It was to oppose the operation of the Bill.

11570. Were they then of opinion that Liverpool should be exempt from the operation of the Bill?—They were of that opinion.

11571. Was it considered, however, if anything was done towards cutting down the pilotage dues or earnings, that their opinion would be at all affected?—Yes; that was the unanimous opinion of the pilots, that if there was the slightest cut off from the pilotage it should be entirely open, and that they were to be compensated.

11572. Do you mean to say that if any of the present pilotage rates were reduced, or if any payment made in respect of coasting steamers was abolished, that then the pilots would be in favour of a voluntary system?—They would rather that the Bill would make pilotage entirely free and open; they were in favour of the Bill, and would look for compensation.

11573. Did you come up to London with the view of giving evidence upon the subject?—Yes.

11574. And you have attended here for the purpose?—Yes.

11575. Were you in communication with the gentlemen representing the Liverpool pilotage authorities?—Yes; I was in communication with the whole of them; there were several from Liverpool waiting.

11576. But you were not called?—I was not called.

11577. Did you hear the evidence given by Mr. Jones, one of the Liverpool pilots?—I did not hear it.

11578. Have you read it?—Yes, I have read it.

11579. Has that evidence been considered by the Liverpool pilots?—There are several pilots down at Liverpool that read the evidence as well as myself.

11580. Have you been in communication with the Liverpool pilots since then?—Yes.

11581. What is their opinion?—None of them contradict it; they have nothing to say against Mr. Jones's evidence.

11582. Did they think that the present system of boat owning for Liverpool is a bad one?—It is one of the greatest grievances the pilots have in the service.

11583. Is that the general opinion of the pilots of Liverpool?—That is the opinion of 164 of them, they are the non-boat owners, there are several of them who are petty boat owners, and one or two others.

11584. Have you ascertained what is the general opinion of those who are now boat owners, against the system?—Yes, they are against the system.

11585. Do they think it desirable that it should be done away with?—They think that the system should be entirely done away with.

11586. Are they also of opinion, as stated by Mr. Jones, that the present close system of keeping the men to their stations, should be modified?—Yes.

11587. Are they of opinion that if a change was made in that respect, the operation of this Bill would not be hurtful to them?—They think so.

11588. Have you formed an opinion as to what would be the effect of a voluntary system of pilotage?—It would be both a disadvantage and advantage; it would be an advantage to the better class of pilots, and a disadvantage to the others, there being such a great number in the service. The service in Liverpool is overstocked.

11589. Presuming that there are no more pilots at Liverpool than are sufficient for the demand, what in your opinion would be the effect?—Under the voluntary system there would be a class of pilots who would earn more money than others.

11590. They would not all be kept at the same level, but the better men would be able to get the larger earnings?—Yes; and that would be the means of their using more energy, and bringing a better class of men forward.

11591. You say that the number of men is too many; what is the average amount of employment a pilot gets at Liverpool; I mean, how many days in the year?—It is not equally divided; one man may have piloted four vessels in three months, and another would pilot 20, and that man receives the same benefit from the earnings as the man who has piloted 20.

11592. How is that?—There is a great deal of partiality and favouritism shown.

11593. But the earnings are the same?—They receive the same earnings.

11594. Is the partiality shown in letting them off work?—Yes; and in compelling those that are not in favour to do work.

11595. How is that managed?—For instance, we have a third captain in the business; he pilots only, on an average, four vessels in three months, and I would pilot 20, for I have to be pilot of his vessels outwards instead of him taking them out.

11596. Do all of your earnings go to one boat?—Yes.

11597. And they are divided among the men belonging to that boat?—Yes, we all receive the same.

11598. Can you give the Committee any opinion as to what the average amount of employment is per man?—I am not employed more than 40 days out of the 365; that is, conducting vessels in and out of the port.

11599. Does that include both inward and outward pilotage?—That includes inward and outward pilotage.

11600. Then you think that there are too many pilots even under the existing system?—Yes, I am certain of it; there is no employment for us.

11601. Do you find that a great many of them

Mr. *F. C. Beckett.*

14 June 1870.

are always waiting about?—There are always from 80 to 100 pilots on the pier-head unemployed.

11602. What number of men are permanently kept on board the vessels at the stations?—There are generally about half of them at sea, and they are at sea a fortnight unemployed, the same as they are on shore.

11603. What is the number kept up in the vessels?—They average about 20 to each boat.

11604. How many men are there belonging to each boat?—There are from about 20 to 22 pilots to each boat.

11605. How many of those men would, on the average, be employed on a boat?—There are sometimes 12 pilots on shore, according to the station she is on; on the first station there are generally six or eight pilots at sea with the boat, and the rest are on shore.

11606. Are you yourself acquainted with the Irish Channel?—I am.

11607. Do you think if the present system was altered you would get employment as a pilot in the Irish Channel from vessels coming up to Liverpool?—Yes; many would employ me further down.

11608. If you had the liberty of being employed down the Channel, the field would be open to you?—Yes.

11609. Is that the general feeling of the pilots?—That is the feeling of the principal pilots in the service.

11610. I think Mr. Jones, the pilot, gave evidence to the same effect?—Yes.

11611. Do you agree with him that if it was done, and if the shipowners were given the option of employing pilots, this Bill would not be detrimental to them?—Not to the better class of pilots.

11612. It would give more employment to the better class of pilots, and somewhat less to the inferior men?—Yes; and I perfectly coincide with Mr. Leyland's and Mr. Inman's views, that it would tend to bring a better class of pilots forward.

11613. Has there been a certain change of opinion among the pilots since the Bill has been discussed before this Committee?—There have been several meetings. I had a meeting with several of them yesterday. I read my deposition to them, and they perfectly coincided with it.

11614. How many were present at that meeting?—I spoke to some 20 or 30 pilots yesterday, and also yesterday at night time there were 40 or 50 on the pier head, and several of them were very sorry to think that the Bill had been opposed at all.

11615. At first they were rather opposed to the Bill?—Yes, but they did not understand the Bill.

11616. But as time went on the Bill has been discussed before the Committee, and upon the whole they come to think that it is rather a good thing to the pilots than otherwise?—Yes, some of them will be better off.

11617. But not the inferior pilots?—Not the inferior ones; the men could and would go further down Channel, and have their own boats.

11618. Do you agree with Mr. Jones that the earnings of the pilots should still go to the boats and be divided among the men belonging to that particular boat, or that each pilot should have his own earnings?—The pilotage should go to the boat, provided there were no idlers in the boat.

11619. How could you prevent there being idlers?—Let them all be first-class men in the boat; there are plenty of first-class men now who would come forward and take a boat and go together.

11620. Then you would favour the pilots owning their own boat?—Yes.

11621. And if that were done there would be more authority brought to bear upon the pilots to prevent idling?—Yes, where they got their earnings they would use more energy, and would interest themselves more in being at sea and looking after vessels.

11622. What is your opinion with regard to the employment there is likely to be for pilots after this Bill is passed, when it is optional to shipowners to take pilots?—There are a great many who will avail themselves of the pilot's services, especially the larger class of vessels.

11623. You think that many of the larger class of vessels will continue to avail themselves of their services?—Yes, particularly inwards.

11624. And many of these vessels would assist to take pilots much lower down the Channel than they now do?—Yes, they would take them to the westward of Holyhead, whereas we do not now go to the westward of Holyhead.

11625. Would there be any backwardness on the part of the pilots to go out in bad weather to look for vessels?—No, not as long as they had their own earnings.

11626. Would the greater certainty of getting employment in bad weather induce them to go out to meet vessels in any kind of weather?—Yes.

11627. On the whole, you are of opinion that there would still be employment for a very large number of first-class pilots?—For a limited number.

11628. And that those pilots would be better off under a voluntary system than they now are under a system under which their earnings are divided with pilots of all classes?—It depends upon what the limitation is upon the number.

11629. But provided that the number is not quite so numerous, you think there would be employment?—Yes.

11630. Mr. *Graves.*] You have spoken of the voluntary system, will you point out what there is in the Bill that points to the voluntary system of pilotage as regards the pilotage authority; can you point out any clause in the Bill now under the consideration of the Committee that points to a different system in Liverpool than now exists?—No, I cannot point out any; it still maintains that we shall be under the same local authority.

11631. Then have you any reason to think that that local authority will change the existing system which is found to work so well, and to allow every boat to go off as she likes down Channel?—Yes, I think they may let us extend our limits down Channel.

11632. Is there not that power now on the part of the Mersey Docks and Harbour Board that if the trade required to extend the stations down Channel the Mersey Board has the power to do it?—I am aware that they have that power.

11633. Is it in the interest of the trade, or in the interest of the pilots themselves, that you would suggest having another boat to the westward?—In the interest of both.

11634. But the trade has never asked for it?—Several of the masters of vessels that come into

into the port of Liverpool have said that they would willingly employ me or others if we met them further down.

11635. Are you aware that there is nothing to prevent the pilotage committee at the present moment sanctioning that if they considered it desirable?—It never was applied for.

11636. But you are aware that it requires no new statutory power to enable the pilotage committee to do it?—I am aware of that.

11637. As far as this Bill is concerned, there is no point in your allusion to it?—No, it was never applied for.

11638. You have expressed dissatisfaction as regards boat owning?—Yes.

11639. Is that because you consider the boats ought to be devoted altogether to the pilot service, and not to have any system of boat owning outside the pilot service?—A great deal of boat owning is held outside the pilot service.

11640. Do the pilots want to have that done away with?—Yes; that is a great grievance.

11641. Supposing that is done away with, would it remove a large portion of the dissatisfaction as regards the present system at Liverpool?—Yes, if each pilot owned into that boat.

11642. Did not you take an active part in opposing this Bill in its earlier stages?—I did.

11643. I believe there was a meeting of the pilots, held on the 9th of March?—Yes.

11644. You were present at that meeting?—Yes.

11645. By the report which I have before me of the proceedings of that meeting, I see you made a speech at it?—Yes.

11646. Does this fairly represent what you said on that occasion: "Mr. Beckett then proceeded to criticise the Bill introduced by Mr. Shaw Lefevre, which stated, that in order to remunerate the pilot, the business must be reduced, so that all the men might have plently of work. Now, they could not reduce the business in Liverpool unless they took off about 60 of the pilots; and if they did, they would have 50 less paying into the funds, and 50 more receiving from them (hear hear), so that by the time the two years were up, when they would have to send returns to Government, their funds would be all exhausted or nearly so; if they only earned 199 *l.* a year under the compulsory law, what would they do under the non-compulsory; they would not earn more than one-half that amount, or something like 94 *l.* or 95 *l.* a year; is that correct?—Yes, with the present number of pilots in the service.

11647. Then further it goes on to say, "At a meeting of the body of pilots held last week, it was proposed that one of their number should be sent up to give evidence before the Select Committee of the House of Commons. He was nominated for that purpose, but no resolution was come to on account of many of the pilots not having been made acquainted with the views he held in reference to this matter. He wished therefore to avail himself of that opportunity of expressing his views, which he thought would be entertained by the majority, if not by every member of the service. In the first place he strongly opposed the Bill for non-compulsion of pilotage (hear hear). There was no doubt however that the Bill was going to be passed, and in that case he went in for an exemption for the port of Liverpool." Does that correctly state what you said?—Yes, it correctly states it.

11648. May I ask you why you have changed your mind?—I stated that they would have to exempt Liverpool entirely from the operation of the Bill; but should any anomalies be cut off from the Bill, even losing the shilling a foot for the steamers, than to let the Bill go and seek compensation from the Government.

11649. Have you had any difficulty with the pilotage committee, since that speech was made?—I had a case before the pilotage board.

11650. What was the nature of it?—It was with respect to this: I was carried away with a vessel, and went beyond pilotage waters; I assisted in the navigation of that vessel down channel, and the master of that vessel remunerated me for it. When I arrived in Liverpool, I had not the opportunity of bringing the case before the committee, because there was a lot of pilots ready to meet me, and I had to proceed up to London. During my being up here, there was a complaint laid against me before the pilotage committee, for not handing over the western pilotage, a thing I had never received.

11651. How much did you receive from the captain of the ship?—£. 7.

11652. Did you inform your messmates of your having received it?—I did not see any of my messmates.

11653. Did you return that amount or refused it?—No; I was in London.

11654. Have you refunded that amount since?—Yes; the committee ordered me to refund it.

11655. Was there any fine inflicted upon you?—Yes.

11656. How much?—Two guineas.

11657. Did you consider it a hardship?—I did; a very great hardship.

11658. By your arrangement with your messmates, or co-partners, were you justified in keeping that money?—I do not know that I was justified in keeping it until such time as I had laid the case before the pilotage committee, but I considered that I was entitled to a greater proportionate share of that money than my messmates, there was a precedent; I asked the pilotage committee to allow me to give a precedent, but they would not allow me.

11659. That has had nothing to do with your change of views, the fact of having had this difference with the committee?—Not at all.

11660. You are aware that this Bill proposes to give the option to the shipowners to take a pilot or not?—Yes.

11661. Do you consider it just, looking at it in a pilot point of view, that you should be compelled under all weathers and under all circumstances, to be on your stations, and that the captains should have the option of taking you or not?—No; I did not altogether consider it just; that is why we complain so much that we are compelled to be on the stations. They all perfectly agree with Mr. Lamport's evidence.

11662. What was his evidence?—His evidence was with respect to free trade.

11663. You mean by free trade that you should have the power of striking a bargain with the captain?—No, not striking a bargain.

11664. That you should say what you would ask?—No; let there be a stipulated price for the pilotage, but do not compel a pilot to be on a station whether he is employed or not.

11665. What you would wish would be that it should be optional with the pilot to be on his station or not?—Yes.

Mr. *F. C. Beckett.*

14 June 1870.

11666. Putting aside altogether your feeling as a pilot, and looking at it from your knowledge of what the pilotage of the port demands, would you consider it a wise arrangement that the pilot boats should be allowed to be off their stations?—I think, if I was not a pilot and looked at it in that light, as I stated before, in coinciding with Mr. Leyland's and Mr. Inman's views, it would be the means of bringing a better class of men there.

11667. Is it not one of the great boasts of the pilots of Liverpool that, under all weathers and circumstances they are upon their stations, and never driven from them?—Yes, it is one of their boasts.

11668. Does not that fact tend greatly to the security of life and property?—It does; but there is nothing to prevent the men being out there when they get their own earnings.

11669. And you would consider it unreasonable to require, under the optional system, that the men should be there risking their lives under that strict obligation to be on their stations?—Yes; such a number of men as there is in the service at present.

11670. And you would consider it unreasonable that the boat should be kept there?—Yes; when it is optional to employ them or not, it would be unreasonable to have such a number of men and such a number of boats.

11671. Are you aware that some objection has been taken to the present system, that the captain is not allowed the free choice of a pilot?—Yes.

11672. Do you see any way by which a greater choice could be given to the masters with regard to the selection of pilots, with reference to inward bound ships?—With the system that I speak of, I think they might have a better opportunity of choosing their pilots inward-bound than they have under the present system.

11673. You mean by going down to meet the vessels, and cruising about?—Yes.

11674. Would not that be removing the boats from the stations, if you allowed them to go down channel?—Cannot the stations be extended?

11675. Yes; there is no reason in the world why you should not have another station?—Then extend the station.

11676. You do not want to disturb the present stations?—No; let those that go to westward receive distance money, the same as they do in New York, and if the masters think proper to avail themselves of the services of those pilots, I do not see why they should not do so; I know there are plenty doing so.

11677. Are you aware that the first pilot boat which goes alongside a vessel in New York claims the pilotage?—Yes.

11678. There is not much selection there?—I suppose it is optional; I have been going into New York with a ship, and the pilot that offered his services first was not employed because he was a New York pilot.

11679. With reference to the present system, you take in turn to board all vessels coming up, do you not?—Yes, with a discretionary power left on the part of the master of the boat.

11680. To do what?—It is optional on his part whether that man should go in his turn or not.

11681. With certain exceptions that has been the rule?—Yes; we applied to the pilotage committee on several occasions before it was granted.

11682. Is there any distinction made by the master of a boat with regard to giving the preference to a large vessel over a small vessel?—Supposing the captain of your boat saw two vessels running up, a small vessel ahead of a large one, would he, under the present system, give preference to the large one, and give the small one the go-by?—Yes, if he could board the large vessel, and let the small one go by, he would.

11683. Do they do it?—They do it as a matter of fact now.

11684. What boat has done that to your knowledge?—I have seen the boat I belong to do it; if they can they very often allow the smaller vessel to go along up to the eastern station.

11685. Are they not bound by their regulations to take the first vessel that wants a pilot?—If she has a flag up for a pilot, they are supposed to go and board her.

11686. Do they not do it?—No, not in all cases; I often see them shirk vessels.

11687. What penalty would the boat incur that does that?—If the case was brought before the pilotage committee and proved, I suppose they would incur a penalty, but I do not know what the penalty would be.

11688. Can you state on what occasion it occurred in your own boat?—I cannot give the day and the name of the vessel, but I have seen her shun several small vessels to the westward; one boat is supposed to watch the other, to see that they do not do it.

11689. Is not that watch very strictly observed?—Not in all cases.

11690. Is there not also a constant and almost hourly system of vigilance from the lighthouses and the lightships?—There is.

11691. So that it could not be done by a pilot without the boat being observed from some of these stations?—Perhaps they may not observe whether they board this vessel or not.

11692. But still you wish to convey to the Committee the opinion that it is frequently done?—You ask me if it is done, and I say, yes; you ask me if small vessels are allowed to go by, and the preference given to the large ones, and I say, yes.

11693. If your own free system was carried out, would you give the preference to a small vessel over a large one?—That depends on what station I would be upon.

11694. Do you think that the tendency under a free system, where there was no regulation to bind you, would be, that you would be more likely to do justice to the small vessel, under the stringent rules which are now in existence?—I think that under the free system they would certainly take a large vessel in preference to a small one.

11695. Mr. *Stevenson.*] I presume you attach great importance to there being a constant supply of pilots waiting the arrival of vessels?—A sufficient supply.

11696. Then you would not break down the stations of the pilot boats, would you?—I would not break them down altogether, but they do not require the number that we have within such a short distance.

11697. Then what you desire besides the question of the boat-owning grievance is to reduce the number of pilots, in order to give better employment to the rest?—Yes.

11698. When you say that you are only employed

ployed 40 days in the year, how is the rest of your time spent?—On board the boat at sea, eating, drinking and sleeping, and on shore, after tide time, walking about the town of Liverpool.

11699. Are you not looking out for vessels when you are on board the boat at sea?—On the different stations, we are certainly looking out for vessels, but vessels have not the opportunity of getting by the first boat; they are boarded by the first boat on the station.

11700. Then the time is not wasted by the furthest boat outside, but by the intermediate boats?—Yes.

11701. Then when your time is spent unprofitably on shore, what are you waiting for then?—I am waiting to be employed by outward-bound vessels, if there are any.

11702. Would there not be necessarily irregularity in the employment in consequence of contrary winds and such like accidents under any system; is it possible to secure regular daily employment for pilots?—No, there is not sufficient employment for the number that there is in the service at present inwards or outwards every day; at tide time there are from 80 to 100 pilots unemployed.

11703. One remedy you propose is to allow an outward station pilot boat to go down channel and look after ships?—Yes; and to reduce the service.

11704. You still approve of maintaining the supply of pilots by means of apprenticeship?—I do not know about apprenticeship.

11705. How will you provide a supply of pilots for the future without apprenticeship?—I would have apprentices, but I would only have one or two; not such a number as they have had in the service. Having so many apprentices in the service has been of great benefit to the boatowners.

11706. *Chairman.*] The way in which the number of pilots has been so much increased is from it being an advantage to the boatowners to have a number of apprentices?—Yes.

11707. And there is a great inducement to them to have as many as they can?—There was till a short time ago; under the present system it is immaterial to the boatowners whether there is one or more; they receive the same number of shares.

11708. The system has been altered as regards that, and now the shipowner is not benefited by the number?—No; but they were smuggled in then.

11709. And it is due to that that the number of pilots is so much increased?—Yes.

11710. Mr. *Stevenson.*] The proportion of apprentices to acting pilots is now diminished?—Yes.

11711. So that you have not so many apprentices coming forward?—No.

11712. And that system will diminish the number?—Yes.

11713. *Chairman.*] I suppose it was forced upon the pilotage authorities by the prospective loss of the 10,000 *l.* a year?—Yes, the prospective loss. That has come into existence in the last six months.

11714. And it was that that forced the pilotage authorities to consider the question, whether there were not too many pilots?—Yes.

11715. Mr. *Stevenson.*] You would allow a few pilots to enjoy a large proportion of the pilotage earnings by the plan you recommended, would you not?—I think every man is entitled to be paid for his labour.

11716. But do you think that is consistent with obtaining the proper supply of pilots outside the port?—Yes; and there are several pilots of the same opinion as myself who are willing to go and buy a boat, and go further down.

11717. Those pilots must always be a very small proportion of the whole body; the great bulk of the pilots must remain nearer the port than that, must they not?—The great bulk of them would remain nearer, and most of them that were not acquainted with the other side of Holyhead or St. George's Channel would remain there.

11718. This proposal might end in a small number of pilots earning very large money, and a large number of them starving; would that be a good system?—I do not know that they would earn so much more, because there would not be such a number down channel on the outside stations to deprive the inner ones of their earnings.

11719. Mr. *Price.*] Although you are in favour of this Bill, I suppose you do not think it would be a good thing to get rid of licensed pilots?—No.

11720. You would still have the pilots licensed?—Yes, undoubtedly.

11721. And you would, of course, be willing that the pilots should be under some authority or other, who should fix their stations?—Yes.

11722. You are aware that as the law stands at present, every shipowner, unless he is specially exempt, is compelled to take a pilot whether he wishes it or not?—Yes, under the present law.

11723. And this Act of Parliament is intended to get rid of that; I suppose you are aware of that?—Yes.

11724. I suppose it is not necessary to have an Act of Parliament to enable the pilotage authority of Liverpool to make any alterations they see fit as regards the stations of their pilots?—It does not require any Act of Parliament, but the pilot authorities have never been applied to.

11725. Supposing that in consequence of getting rid of the compulsory pilotage, so far as the ship is concerned, it should be necessary to make any alteration in the pilotage stations, the pilotage authority can do that without an Act of Parliament, can they not?—I am led to believe so.

11726. There is no restriction upon them; they can make what bye-laws they think fit for the service of the port?—Yes.

11727. The honourable Member for Liverpool asked you whether you thought it fair that the master of a ship should be free to take a pilot or not, as he pleased, whilst the pilot was bound to maintain his station, and you thought it was a hardship upon the pilot his being compelled to maintain his station when the shipowner was not compelled to employ him?—Yes.

11728. But that is a matter within the breast of the Pilotage Board?—Yes.

11729. It is not necessary to take cognizance of that in this Act of Parliament?—No.

11730. Therefore there is no unfairness in the liability of the shipowner being taken off, leaving you still to deal with the pilotage authority as at present?—The pilotage authority will deal with it.

11731. Therefore there is no inconsistency in the fact that the Act deals with a matter which can only be dealt with by an Act of Parliament, leaving

Mr. *F. C. Beckett.*

14 June 1870.

leaving the pilotage authority to deal with the other?—No.

11732. Your view of the case seems to be this, that if the pilots were each man left to enjoy his own earnings, that his own enterprise and the sense of his own advantage would always take him out as far to sea to seek vessels, as a vessel would desire to find him?—I think so.

11733. You do not like the idea that your earnings should be frittered away, so to speak, by paying the boatowners?—I think, if I am willing to try and earn more that I should not be deprived of doing so.

11734. Do you suppose that to be the general feeling amongst the pilots themselves?—Yes, that is the feeling of most of the first-class pilots.

11735. You mean those that are willing to work?—Yes.

11736. And those that are not particularly willing to work like the present system better?—Some would not like to go from the present system.

11737. You told us that the greater part of your time, all except 40 days in the year, was spent in eating, drinking, and sleeping on board, or walking about the streets of Liverpool?—Yes.

11738. Are there a certain class of pilots who like that mode of life?—Yes, a certain number do like it.

11739. And those who would rather be in active employment so long as they were receiving their own earnings would like a different system?—They would not be able to walk about if they had to earn it by their own energy.

11740. You think there are too many pilots under the present system?—Yes.

11741. If there were not so many they would not be walking about?—No.

11742. Do you think it just that the trade of the country should pay a large number of pilots for 325 days in the year for walking about the streets of Liverpool, or eating and drinking aboard their vessels?—Part of the money goes to maintaining the stations.

11743. Of course if that is the case to anything like the extent you represent to us, there must be a much larger staff of pilots than is required, and in order that they may live there must be an unnecessary burden cast upon the trade?—There is a great amount of shipping in and out of the port of Liverpool, but a less number of pilots could work that amount of shipping.

11744. Therefore, if that is the case, if a less number of pilots could do the work, obviously the trade must be overburdened if a larger staff is kept than is required?—If a less number of pilots can work the port of Liverpool, that is one reason why I say the service ought to be reduced.

11745. I suppose you have no doubt in your own mind that if the liability of the shipowner to take a pilot, whether he wants him or not, is got rid of the pilotage authority would modify the regulations at present existing with respect to the pilots?—Yes, this Bill must alter the present system in Liverpool.

11746. You would be willing to go to sea as far as might be necessary to find a ship?—Yes.

11747. And you think a great many others would go with you?—Yes, and we should earn more money.

11748. And perhaps those who would not like to go would be as well away?—Those who would not go would give the chance to those who wanted to go.

11749. Those who were willing to work would get employment under a different system, that is your opinion?—Yes.

11750. But under the present system those who are willing pay for those who are not competent and not willing?—Yes; they would then be paid according to their energies.

11751. Mr. *J. S. Hardy.*] You say you think that there are too great a number of pilots in Liverpool, what is their number?—Two hundred and eighty-five.

11752. How many would be able to do the work?—We could do with from 80 to 100 less pilots.

11753. *Chairman.*] Is that under the voluntary system, or under the compulsory system?—Under the present system we could do with from 80 to 100 less pilots.

11754. Mr. *J. S. Hardy.*] You think that there ought to be 80 or 100 pilots taken off the present number?—Yes.

11755. And if the voluntary system came in, do you consider that there would be a still larger number taken off?—No, I think that that number would find employment with an extension of limits.

11756. Even under the voluntary system?—Yes, with a limited number.

11757. You are employed for fully 40 days in the year; of course it is necessary to be looking out for the ships at certain times, but how many ships ought you fairly to expect to pilot in the course of the year, if you are properly employed. I suppose it is a day's work to take a ship in?—Yes; it is a day's work inwards, and outwards it is only a few hours' work.

11758. You would not expect to take more than one ship a day in or out?—No.

11759. Would it be possible for you to take 365 ships in the course of the year?—No; but I could work 200 on the year.

11760. Would that necessitate your getting a ship at once, when you are outside on a station?—Yes.

11761. But you would not expect under any system to get a ship directly you got out on the station?—No, I allude to inward and outward-bound vessels.

11762. The effect of having an extra station would be this, that those pilots who went out on the extreme station, would get the employment, and those who remained inside would get no employment?—I do not want an extra station; but if men like to use energy and go further down, let them do so; all that remain in the service can do so.

11763. In that case it would be impossible to keep anybody on the station, because if the men who went furthest got the employment, the others would not remain on the other stations?—They are sure to remain on the other stations, because the stations would be so wide apart, that many vessels would come down, and many vessels would not avail themselves of the opportunity of taking a pilot further down.

11764. Would you allow some pilots to go to a distance to pick up the best class of employment, and compel the others to remain on the inside stations where they could only get the small class of vessels?—I would not compel them.

11765. But it is extremely unlikely that they would remain there if the people who went out got the

the best employment. According to your system it would be quite impossible to compel people to remain on the stations, if one pilot was allowed to go further to the westward than the other?—Those men that would go further to the westward would be men that would hold other certificates as well; it would be through their own energy in passing an examination for a master's certificate that they would have the best opportunity of going further down and being employed.

11766. What you really would wish is, that you should have a practically free system, and that the pilots should pilot where they think proper?—No, not that they should pilot where they think proper, but that they should go down to Tuskar or Cork.

11767. *Chairman.*] It would not answer for all the pilots to go down to Queenstown or down the Channel; I suppose it would answer for many of them to remain at Point Linas?—Many of them would get vessels that would not employ pilots further down.

11768. Mr. *J. S. Hardy.*] But if they were not compelled to remain there, many ships might come there and not find a pilot?—There are many vessels that would take a pilot of Point Linas.

11769. I presume those would be a worse class of vessels compared with those that would take them further down?—Yes; many of the vessels would avail themselves of taking a pilot down channel.

11770. *Chairman.*] You think that if it were left to the law of supply and demand, some vessels would require them down channel, and some would not?—Yes.

11771. And the pilots would arrange it amongst themselves; the more enterprising would go down channel, and the others would remain at Point Linas?—Yes.

11772. Mr. *J. S. Hardy.*] But though that would happen if you were free, it would not be just to compel men to remain at these stations, while others would go further down?—No.

11773. Therefore, the compulsory station system would come to an end, according to your proposition?—The system would have to be entirely changed.

11774. Mr. *C. Turner.*] You say that many of the pilots are constantly found idling about the streets of Liverpool?—They are not employed for many days.

11775. And you argue from that, among other circumstances, that there are too many pilots?—Yes.

11776. Is it not the case that, from the circumstances of the business of the pilot, there is a great demand for pilots at one time, and very little at another, from the state of the weather, the wind, and other things?—During my experience, I have never known any time when, though there was a large demand for pilots, there were not still a large number of pilots unemployed.

11777. If the wind should be constantly blowing into the harbour, and a great many vessels have come in with pilots, and from the state of the wind few vessels are going out, would not that cause a great many pilots to be on shore?—Yes.

11778. And, therefore, from the circumstances of the case, anything like constant and regular employment in the pilot service is almost impossible?—It is constant.

11779. It is constantly varying with the state of the wind and weather, is it not?—No; we have a prevailing wind into Liverpool nine months out of twelve.

11780. You have lived a long while in Liverpool and so have I, and we have known the wind blow strong from the westward a long time together, and sometimes from the eastward a long time together?—We have had a long spell of easterly wind this year.

11781. Under those circumstances, it would be impossible to create regular employment for the pilots?—Yes.

11782. The wind blowing strong from any one quarter would, for a time, keep the pilots unemployed?—Yes.

11783. Therefore it does not follow that because there are pilots on shore, that there are too many pilots?—But there are pilots at sea unemployed the same.

11784. That might be the case at other states of the weather; they become unemployed from vessels not coming in, and being kept down the channel; you know that in Liverpool we occasionally have large arrivals at one time?—Yes.

11785. Before the wind changes, so as to enable the vessels to come in, the pilots would have little employment at their stations; they would be awaiting for vessels coming in?—Yes.

11786. And if the pilot vessels were not full of men waiting at those times, the vessels inward bound, when there is a great influx of shipping, would not be able to get a pilot?—Yes, they could at all times.

11787. You have known of some cases when a vessel has been lying off and on for want of a pilot, in consequence of all the other pilots being taken on board other ships?—I do not know that I have known of any cases; we have every facility for getting down to our stations by the tug-boats and by the railway, so that I do not see that any vessel has occasion to remain waiting at any time for a pilot.

11788. In bad weather, if you went down by railway, you could not get off to the vessels, could you?—Yes, we could; if the wind was from the westward.

11789. With regard to partiality, you said that you had been employed 40 days in the year, and that some parties on your own boat were only employed four days in the year?—I did not say four days; I mentioned the number of vessels he was pilot of in three months, that would be an average of 20 days in the year.

11790. Is that the captain's partiality?—Yes.

11791. The regular rule is that every pilot on board the boat is to take his duty in turn?—Yes, on board the pilot boat.

11792. Can the captain of a boat exercise arbitrarily his power of saying that a man is to remain on board if it is his turn to go off?—Not at sea.

11793. How is it that you have 40 days, and other men only four?—I do not say four days, but a man may make four cruises quarterly, and may bring up a vessel each cruise, but each pilot could do more.

11794. If each man is to take his duty in turn, how does it happen that one man does not do as much as another?—They only take the duty as a turn inward bound, not outward bound.

11795. May you remain on shore as long as you like?—No; I may take a vessel today, but when I get back I may be sent for another,

Mr. F. C. Beckett.

14 June 1870.

other, while another man may remain and not take one.

11796. It is optional for a pilot to remain on shore as long as he likes?—It is not optional on his part.

11797. If a man comes back to his boat as soon as you do, he ought to be employed as much as you are, ought he not?—I only take the same number of vessels in from the station, but I pilot more vessels outwards

11798. How is the choice made; is not a man allowed to choose his pilot going outward, without any reference to the captain of the boat, or the pilotage authorities?—No; he must apply to the master of the boat, or the superintendent.

11799. You said something about the question of the stations; I believe you are not for doing away with the present stations?—No.

11800. But you think the pilots ought to be allowed to go down Channel as far as they like?—Yes.

11801. The honourable Member for Liverpool put the question whether the pilotage authorities have the power, if they think it for the advantage of the shipping of the port, to make stations beyond the present stations; they could do anything they wished, could they not; they have legal authority to do it now, under the present law as it stands, have they not?—I believe they have.

11802. That being the case, do not you think that the pilotage authorities, with their great experience, are of opinion that it is not desirable to make stations lower down?—I never heard that view expressed by any of the pilotage committee. It is only by the pilots themselves.

11803. The duty of the pilotage committee, I take it for granted, is to accommodate the shipping of the port to the best of their ability; supposing they thought it to be desirable to have stations lower down, they would make them, would they not, having the legal power to do so?—They have never been applied to.

11804. If they have not been applied to by the shipowners, it is a proof that the shipowners do not want it; the pilotage service is kept up for the accommodation of the shipping of the port, is it not?—Yes.

11805. The great object of the pilotage authorities is to accommodate the shipping of the port in the best manner possible?—Yes.

11806. And if the shipowners were of opinion that, having stations further down channel would be better for the shipping of the port, do not you suppose that the shipowners of Liverpool would apply to the pilotage authorities to have further stations?—They might do so.

11807. Would it not be their interest to do so?—It would. Many masters of vessels have expressed the wish that they would like to meet the pilot further down.

11808. Why do not the masters of vessels take the ready mode of applying to the pilotage authorities?—I do not know why they have not taken it. If they thought that it would be granted, they would apply.

11809. If they do not apply they cannot have it granted; if the masters of vessels merely express that to you, and do not apply to the pilotage authorities, who are owners of ships, and merchants, it seems a very extraordinary course for them to pursue?—I say there are many pilots in the Liverpool pilot service who would go further down Channel, and they would be employed. Many masters of vessels would avail themselves of those pilots, and pay a voluntary rate or distance money, till they came on to pilotage grounds.

11810. Is it not your opinion that the men who would be furthest down the Channel would always be the most efficient pilots?—Yes; I think the best class of men in the service would go there.

11811. Do you think it ought to be compulsory upon a master taking a pilot down Channel to take the first pilot that came to him?—No.

11812. How would an inward-bound vessel know who was a good pilot or not, if she had not been in the port before?—The master would know.

11813. Therefore he could take his chance?—He could go on to Point Linas.

11814. And if a man was not acquainted with the port he could not know whether the pilot was good or not?—As long as he was a duly licensed pilot, it would be optional for him to take him there or go on to Point Linas.

11815. How could he know the qualification of the man whom he meets the first time down Channel; how would he know whether he was refusing a good pilot or not?—He could not know but by his license.

11816. It would be a mere chance whether he got a good pilot or not?—Yes.

11817. I think, in going into New York, as far as I recollect the evidence of other witnesses, a vessel inward bound to New York is bound to take the first pilot she meets, and that the pilots go out a great distance to meet the vessels?—I think that is not the case. A pilot will go on board a ship outside New York, and he will say, "I will go up as far as our station, wherever it is, Sandy Hook, if you give me the preference to take your ship into New York."

11818. It was not so stated; it was stated that the captains were obliged to take the first pilot, and that they frequently got inefficient men; that it was not the men who went furthest out that were the best pilots?—They are not bound to take the first pilot. I have known them refuse a New York pilot, and take a Jersey City pilot.

11819. I think you stated, in answer to a question from the Chairman, that you thought that if the present compulsory system is done away with, pilots would always be found in bad weather at their stations, though the vessels were not compelled to take them?—Yes. I think that if those pilots received their earnings, and had an interest in their own boats, they would be found out at sea in all weathers.

11820. Supposing they were not at their stations before the bad weather began, is not the weather frequently such at Liverpool that it would be impossible for the pilots to get out, unless they chartered a steamboat?—Pilot boats do work out in all sorts of weather now.

11821. Supposing the voluntary system was established, is not the weather such that it would be almost impossible for the pilot boats to work out after it began to blow a gale from the north-west?—There would be the same advantage then in getting out as there is now.

11822. We know that now the boats and men are at their stations at all times; but supposing they tried to get out in bad weather, would not it be impossible for them to do so?—They could get out just the same then as now.

11823. But

11823. But now they are out before the bad weather begins?—They would be then out under the voluntary system.

11824. Mr. *Grieve.*] Supposing compulsory pilotage was done away with, have you any doubt that first-class pilots would be found to club together and get as efficient boats to perform the pilotage services as at present?—No doubt they would do so.

11825. Is there any reason why the boats should not be out under the voluntary system?—I have no doubt that men would come forward and find their own boats, because on one occasion I got a great number of pilots during one tide time on the pierhead to sign a paper appealing to the committee to ask them whether we should have our own boats.

11826. Under this system there is no reason why these boats would not be out at the stations just the same as under the present system, is there?—They would be out just the same, I think, as under the present system.

11827. Mr. *Cave.*] Your evidence is chiefly against the present system of management of the pilots of Liverpool?—Yes.

11828. And it has nothing to do with the question of the voluntary or compulsory pilotage of vessels?—No.

11829. You have not considered that question?—No. Mr. *F. C. Beckett.* 14 June 1870.

11830. *Chairman.*] But do you think that the Bill which is now before the Committee will force upon the pilotage authorities this change which you have recommended?—Yes.

11831. And therefore, on the whole, you are of opinion that the Bill before this Committee will be advantageous to the pilots?—Yes.

11832. And you do not dread the effect of the abolition of compulsory pilotage?—No, I do not.

11833. In that you agree with Mr. Jones, the other pilot from Liverpool, who has appeared here and given evidence?—Yes.

11834. You have felt the evil of the present system of boatowning at Liverpool and the compulsory stations, and you have never seen a remedy for it until this Bill presented itself?—Never before.

11835. Do you think that there is no prospect of it being altered so long as compulsory pilotage is on foot?—No.

11836. But do you think that the abolition of compulsion will force upon the pilotage authorities the consideration of all these questions, and thereby force them to make a change in the system now in force in Liverpool?—Yes, I do.

Sir FREDERICK ARROW, called in; and further Examined.

11837. *Chairman.*] I HAVE recalled you here to ask you a few questions as to the difference between the navigation of the Mersey and that of the Thames; I believe that since you were here before to give evidence you have paid another visit to Liverpool?—Yes, I was in our yacht in the Mersey about a month ago, having gone to Hilltree Island on buoyage duty. Sir *F. Arrow.*

11838. Was that the first time you were there?—No, I have frequently been there.

11839. Are you thoroughly acquainted with the Mersey and its navigation?—Yes.

11840. It has been stated to the Committee, that the navigation of the Mersey is much more difficult than that of the Thames; what is your opinion upon that point?—I think that nothing but what I may call local affections and partiality could bring one to such an idea. I have no partiality in the matter myself, but I think that anyone who could say that the navigation of the River Mersey, when you are once over its bar, presents more dangers than the River Thames, looking at it from its mouths, and from the coast it traverses, must be speaking with partiality rather than as a matter of judgment.

11841. According to your view, the only real difficulty in the navigation of Liverpool is in crossing the bar?—At Liverpool proper, no doubt the bar is the only real obstacle to entering the river, but the difficulties are before you approach the bar; a ship has to wait outside for water, to be able to cross the bar. The difficulty of the pilotage consists in this, that you have to keep a ship to windward from off the bar for a certain time before you can take her inside. With steamers there is no difficulty at all; with sailing vessels it is a difficulty to some extent; but you must remember that there is plenty of searoom. I have heard it said that Liverpool has the great drawback compared with the Thames and other places, that there is no anchorage, but if a ship is coming up the St. George's Channel with bad weather, knowing that when she is approaching Liverpool, she may not have enough water to cross the bar, she can anchor. I conceive that the port of Liverpool has one of the best anchorages known. She has the harbour of refuge of Holyhead under her lee, and there, I think, she possesses an advantage certainly, which very few ports possess. It is true, that if a ship passes that port, if a pilot takes her on further, he must rest upon his own knowledge to keep her sufficiently far from the bar to enable him to cross it when the time comes, in safety; but once over the bar of Liverpool, in my humble judgment, there is no obstacle whatever in the navigation of the river; there are no tortuous channels; you enter by what is now the principal channel, the Queen's Channel; or by the Victoria Channel, sometimes there is a little more water in one, and sometimes in the other; sometimes the sands lap a little one way, and sometimes the other, when the buoys are shifted accordingly, regulated by the buoy master under the authority of the Mersey Dock and Harbour Board. Having entered the river, you run up to the Formby Lightship, and from there you have a clear course and plenty of water without any danger on either side except what you can see conspicuously marked, and there is no port in the world, to my knowledge, so well and efficiently buoyed and marked as the port of Liverpool. The buoys are very large and very conspicuous; in my judgment it is possible that those buoys may be too big, and that there is danger from their very size of their being carried away; indeed, I think one of the principal arguments to show that the sea is never very violent there is, that these enormous buoys can ride such seas as they do. There are bell buoys, pillar buoys, and every other kind of buoy; every buoy in Liverpool is, if I may use the word, an exaggeration upon any buoys commonly known.

Sir *F. Arrow.*

14 June 1870.

known. There is no doubt the Channel is beautifully marked, so that he who runs may read. Even with the wind from the north-west and from the northward you are running out of the sea every moment you are running into Liverpool, and by the time you get up to the Rock Lighthouse there is no sea of any consequence, and you may drop your anchor where you like. Its real danger is that which consists in remaining outside until the time arrives for entering.

11842. I understand from you, as far as steamers are concerned, pilotage is exceedingly easy?—I think so.

11843. And as regards sailing vessels it is more difficult?—Yes.

11844. I presume that is rendered more easy by the more frequent use of tugs?—Undoubtedly the use of steam seems to me to lighten these sort of difficulties; hardly a day passes but I see changes through their instrumentality.

11845. And that renders less necessary an over-abundant supply of pilots?—I should say so.

11846. Comparing what you have described with the navigation of the Thames, from Dungeness upwards, should you say that the navigation of the mouth of the Thames is more difficult than the Mersey?—I should say certainly it is; in the winter time that occurs with us which does not often occur at Liverpool; I really am not speaking in the least degree as a partisan of the Thames, because I have no feeling whatever in the matter; but I am quite certain that, if you look at the accounts of the underwriters, and if you look at the casualties which occur every year, you will find that the loss of anchors that occur, in the Downs and Margate Roads, and the dangers ships are put to there, are greater than occur at Liverpool; a winter does not pass without a serious loss; vessels are not often lost, but they do run considerable risks; some vessels break from the Downs, and have to run through the Gull Stream into the North Sea, and be boxed about there for days.

11847. Some witnesses who have been before us have also laid great stress upon the difficulty to coasting vessels in the Mersey, in consequence of strong tides running across the entrance of the docks, do you think that is at all exceptional?—I imagine that it exists in many places; there are very few places where tides run fair into the dock that would not be a good position for a dock; it would bring a strain upon the dock-gates, and would be an improper place to place a dock in. In nearly every dock that I know of the tides run across the dock, and there is considerable difficulty in getting a long ship into any dock under such circumstances. The most difficult dock that I know of anywhere is Southampton Dock; I do not know whether any Member of the Committee has ever seen a long ship try to get into Southampton Dock; if it is not exactly the right time of the tide it is most difficult to get her in. I cannot really reply to the question from positive knowledge, because I am not acquainted with the mode of docking ships in Liverpool, but I should not imagine that the difficulty is very great.

11848. Judging from your long nautical experience, do you think that there is no great difficulty in that respect in Liverpool compared with places where pilotage is voluntary, such as Sunderland, where the dock opens upon the sea?—No.

11849. Captain Judkins has made a comparison between Liverpool and Calcutta, and has compared the difficulties of the navigation of the Mersey with that of the Hooghly?—One does not like to criticise any other person's evidence; but it seems to me a great stretch of imagination to place the two ports in comparison. There is, however, this resemblance, that the formation of the mouths of the two ports have something of a common nature; but no one who has at all studied the question, or has read the description given by Horsburgh of the Delta of the Ganges could readily compare the two. At the embouchere of the Rivers Mersey, Dee, and Ribble, no doubt, there is a certain amount of detritus and deposit from the Welsh hills and other causes, and a rapid tide, which cause occasional changes; but, in the Hooghly, you have an enormous mass of flood water running for months at a time in one direction, when the snows are melting upon the Himalayas, which, rushing along, tears up the bed and banks of the stream, and, with a velocity of nine to ten miles an hour, brings down the débris to the spot where it is checked by the tidal wave, and there it is deposited, fluctuating from place to place, as it overpowers or recedes from the tide itself, and there forms sands and obstructions, some of which change daily; so much so, that they have to be at one season examined every tide, and the changes made known to vessels before they can pass. The tides also cross and re-cross the river in a very dangerous way, especially where some of the affluents, such as the Damooda and Rirpnerain, fall into it; and for some way below Calcutta, for two or three months, the vessels never swing to the flood. To navigate a ship in the Hooghly is at all times a very difficult task, and to compare it, therefore, with the Mersey does seem to me somewhat extravagant. It is dangerous in all ways; the great extent of the sands, the heavy character of the weather at the period of the south-west monsoon, and the constant changes in the channels themselves, puts the port of Calcutta entirely by itself, and, fortunately, there are few ports in the world that can show such a position of affairs as the mouths of the Hooghly and the Ganges, and the river itself generally.

11850. Some stress has been put by some of the Liverpool witnesses upon the extent to which the changes of the sands at Liverpool are watched and calculated by the pilots, and it was stated that no such watching of the shoals and sands takes place in the estuary of the Thames, or on the east coast?—That must have been stated under a misapprehension, because it is well known that our sands are watched very carefully and narrowly, not over a limited area as the Liverpool Board have, and which they do so well and satisfactorily, but from the Spurn Point on one side, and from the Downs on the other side, right up the river. There are no sands in the Mersey, which change oftener, and which require more careful attention and looking after, than those on the east coast. There is not a month passes but some of the buoys are shifted, some places grow, and some places wash away, and the Trinity House, in addition to its own members who are frequently engaged on that duty, has very competent men who are their district superintendents; the one on the east coast particularly, was selected as being a very excellent surveyor, and a more than ordinary good man; a man who is a surveyor in every sense of the word, and who watches

watches these sands very satisfactorily indeed. But beyond that, on the examining committee, it has the advantage of the skill and experience of Admiral Collinson, a distinguished hydrographer, who takes a great interest in it, and personally assists at most of these examinations. I am quite sure that it is well done; but the changes are very considerable and very frequent, and as for giving you a list of the changes, it is almost impossible to do it

11851. Take the case of the sands off Yarmouth and Lowestoft, what is your opinion of them?—To my knowledge within 10 or 11 years that I have been at the Trinity House, the Stamford Channel has been shut up for a night channel; the Corton Channel has been opened; and the Pakefield Channel so altered that the navigation of the channel is entirely different.

11852. Are all these channels on the east coast?—Yes.

11853. They are districts where pilotage is entirely voluntary, are they not?—There is pilotage there, but practically it is voluntary, through an exemption made by the Trinity House, eight years ago, and you must remember that the ships that traverse this dangerous coast, which I think is quite as dangerous as any part of the Cheshire or Lancashire coast, are ships without pilots, and without certificated masters; they are coasters and other vessels which are not required to carry pilots. I believe if you look at the per-centage of casualties that occur in the navigation of that coast, you will not find that they are any larger than they would be in any district which was supplied with compulsory pilotage.

11854. These sands and channels which you speak of as constantly changing, are being constantly watched, are they not?—Yes.

11855. Then there is nothing exceptional in the state of things at Liverpool, is there?—I think not; I think it is only the ordinary state of things that must occur in all navigation of that sort.

11856. A good deal of evidence has been laid before the Committee with regard to the Clyde; will you give the Committee your experience with regard to the Clyde, as to its navigation?—The navigation of the Clyde is very simple till you get up to Greenock.

11857. I believe the pilotage is only compulsory after you pass Greenock upwards?—When once you get fairly into the Clyde, between the training walls, it is a matter of harbour regulation more than pilotage; I think it may be necessary that a ship should know if there is another ship lying at an inconvenient place in the Channel, before she got up to it in narrow waters; but that is more a question of harbour pilotage than a question of sea pilotage.

11858. You think that hardly comes within the meaning of sea pilotage?—No; I should call that harbour-master's work.

11859. Have you made any distinction of that kind in the pilotage of Liverpool; would you say that the inner parts of the Mersey, after you have entered the river, is harbour-master's work?—When once you are up at the Rock Lighthouse, there ought to be some boat cruising about to tell the ships where to anchor; but it is quite true that they lay all about the stream. The advantage of the Mersey is, that you may let go your hook anywhere; even if it is a dark night there are plenty of places to anchor in; you need not trouble about shoals, because there are not any; and I think a good harbour-master system would regulate the anchorage in the river.

11860. Then again, there has been some evidence laid before the Committee as to the Humber, and it has been stated by some of the witnesses that the navigation of the Humber is rather exceptional; is that your opinion?—I have no wish to give offence to any representative of the Humber or any other place; but a pilot who has got to keep out at sea to bring ships in, whether going to the Tyne or Hartlepool, or the Tees, must be subject to some danger. There is, and must be, always some danger in ships being boarded, but that applies just the same to voluntary as to compulsory pilotage, but the entrance to the harbour is very well marked; there are two lighthouses, and the Spurn Lightship outside to lead you up; and there is another light directly you get in, and a man without a pilot, I should imagine, could put his helm to port, and run into Hawk-road, which is a sheltered roadstead just inside.

11861. In your opinion, are there any exceptional circumstances with regard to any of these places, as compared with the Thames and other ports, which would give a reason for exempting them from the operation of this Bill?—No; you have asked me my opinion before as to the River Thames itself, and I said then that I saw nothing in the configuration of the place or the nature of the duties which, to my mind, requires a permanent and compulsory pilotage, and when I say that, I answer your present question. I do not think that there is any more reason to exempt them than there would be to exempt the Thames.

11862. I asked you the question specially, because, practically, no evidence has been given against the Bill as regards the Thames, except from pilots, so that we may take it that the case of the Thames is practically conceded; but do you see any reason for dealing with the Mersey or the Humber, or the Clyde, exceptionally?—I think not; I think the Clyde may have a greater claim in this way, that it wants a special sort of harbour-master's service for the upper part of the Clyde, or some means of making known what there was in the river; I do not think it wants a compulsory pilotage service.

11863. Something has been said with regard to Liverpool as to the absolute necessity of keeping up the stations in the same way as they have been hitherto; do you see any special reason yourself for that, judging from your own experience of the system in the Thames?—I think the Liverpool pilotage system is remarkably compact, and a very good one, and I do not think there is any place except Liverpool where they are very enterprising, and where the merchants seem to be very willing to spend their money, where the pilotage system is so thoroughly harmonious as it is there; but whether all that is necessary I do not pretend to say. If it satisfies the people of Liverpool, that is sufficient for me. But whether the numbers of vessels which come into the port of Liverpool, which are not owned by Liverpool owners, agree as to the necessity of it, I cannot say.

11864. You have, in the North Channel of the Thames, a system of pilotage which is, to all intents and purposes, voluntary?—Yes.

11865. And yet there a considerable number of pilots are maintained under a system analogous to that of districts where it is compulsory?—You

Sir *F. Arrow.*

14 June 1870

You may call it practically free pilotage in the North Channel of the Thames.

11866. And yet in that district you maintain the pilots at their stations in the same way as you maintain them in the compulsory districts?—Yes; I will not say that there has never been a complaint of not getting pilots, but there are fewer complaints in the North Channel than there are in the South Channel; there are complaints sometimes about Dungeness, but if my memory serves me right, I have not for a long time heard any complaint of the North Channel pilots.

11867. In addition to the authority which you exercise over them, is there not an inducement to them to obtain employment which there is not in a compulsory district?—Yes.

11868. If this Bill passes into law, would there be any difficulty in maintaining in Liverpool, if it is considered necessary, the same kind of system that you now maintain in the North Channel of the Thames?—It depends entirely upon this: if you maintain a pilotage system which is limited, and if you still protect the men in the exercise of their calling, as the law does already, I do not see any reason whatever why there should be a diminution in the number of pilots, nor do I see any reason why the system cannot be kept up, for this very simple reason, that it does not rest with the pilots; it rests with the authorities who are over them. If a man takes a license as a pilot, he takes it under certain conditions to obey the orders given him that he shall do certain things, and if he does not do them the remedy is very simple; he can be suspended or dismissed if his case is a gross one. It is very probable that if any change is made in the law, all pilotage authorities will have to be very strict at first in keeping the men to their stations, but the remedy is in the hands of the pilotage authorities, and it does not lie with the men; their orders are to go to a certain place, and they must do so.

11869. It has been alleged that there would be a certain injustice to pilots in keeping them to their stations and compelling them to give their services when required by any vessel, if, on the other hand, they are not entitled to compel a vessel to employ them; judging from your experience of the North Channel of the Thames, and of other districts, where the pilotage is free, do you think there is any reason to consider that argument a sound one?—I do not think it is a sound argument. I think, from my experience there and at other places, there are quite sufficient ships that want pilots; and I believe wherever one goes, the wish and desire of the masters of vessels is to get hold of a man who knows more about the place, when getting into shallow water, than he does himself.

11870. As long as you maintain a limited number of licensed pilots, there is no great hardship in putting them under certain terms?—I think the question will arise of compensation. There may not be the employment for 200 pilots, for instance; but, if not for 200, there will be employment for 150.

11871. If those clauses of the Bill are put into operation, and the number of pilots is restricted to such a number as is really sufficient for the trade, is there any hardship in compelling the pilots to keep to their stations, and give their services when required?—I should think not.

11872. As long as there is a licensed corps?—Yes; if you leave it to demand and supply that is another story; but as long as there is a good supply of licensed men protected by the law (and I should lay great stress upon that), against the unlicensed men who have nothing to lose, and everything to gain by trying to cut the pilots out, I have no fear of the results.

11873. The Bill before the Committee only places the districts now under compulsory pilotage in exactly the same position as non-compulsory districts are at present wherever there is a licensed corps and a regulated price; have there in your experience been any complaints from the places where there is voluntary pilotage subject to the rules which I have mentioned?—Not to my knowledge.

11874. Have you formed any opinion as to the number of pilots of Liverpool, and also as to the present system of boatowning?—I think they could do with less if it was a question of money, but I do not think it is a question of money with the Liverpool authorities; I think they do everything to facilitate the navigation, and it is not a question of money.

11875. Comparing it with the system of the Thames, should you say that it is rather an extravagant one as regards the number of pilot boats, and so forth?—I heard the evidence of the pilot who was here to-day, and if what he stated, that sometimes a man got four turns in a year, was true, I should say that it must be extravagant. I know nothing of their working, but I know that there are plenty of pilot boats always about in Liverpool. When I was there the other day they seemed to me very numerous; I did not see them getting much occupation upon that occasion.

11876. Supposing that the average employment of pilots is 40 days in a year actually in charge of vessels, should you say that as compared with the employment of pilots in the Thames that is a very small amount of employment?—I am not prepared to answer that question, but I think it is a little. I look at the income which they receive rather than the number of days which they are employed. It is quite right that the man who has few opportunities should have his employment, when he gets it, remunerative.

11877. But the system may be extravagant if a pilot gets good remuneration for a small amount of work?—Yes, I think the system is rather extravagant.

11878. In conclusion, would you say that there is no other reason for exempting Liverpool than there is for exempting any of the other places which I have mentioned, from the general operation of this Bill?—No, not in my humble judgment.

11879. Mr. *Stevenson.*] Do you approve of protecting the licensed pilots in their calling; it appears that that is not very officially carried out in the North Channel of the Thames, and that the pilots complain very seriously of it?—That has not come to my knowledge.

11880. Are there not retired ship captains who have taken up the duty of piloting vessels through all the way to their destination at a fourth of the regulated price?—So I am told, in ships that are not required to take pilots at all.

11881. Whether they are exempt or not, if they do take a pilot they should take a licensed pilot?—Yes.

11882. We have had very strong evidence here

here that they do not obtain that protection from the authorities which you think they ought to have?—The protection is not from the authorities, the protection is from the law; the authorities cannot protect them.

11883. Except by putting the law in force?—The pilots put the law in force; if they come to the pilotage authorities, the pilotage authorities say, "By all means try it; where we are satisfied of the *bonâ fides* of the case, but we have no power to do it; the law provides for that." If they find an unlicensed man aboard, and they can prove that he is on board, they can set the law in force and [enforce the] penalty; but the pilotage authorities have no means wherewith to fight questions of law, that must be left for the pilots to do.

11884. What means have they of doing it?—I suppose they would recover their pilotage; it is not a very difficult process.

11885. Mr. *Norwood.*] With reference to the exemption of the Thames, may I ask you, is it probable that the Trinity House would have extended the exemption in case the subject had not been introduced in this Bill?—Undoubtedly we should, had the Board of Trade agreed.

11886. Can you point out the direction in which the exemptions should go?—When the Merchant Shipping Bill of last year was sent down for us to go into its details, upon looking into it we came to the conclusion that, as a matter of justice, it would be well to increase the exemptions from compulsory pilotage; as you are aware, nearly all the exemptions from compulsory pilotage have been acts of the Trinity House, at one time or other, under an Order in Council, but initiated by them; and as I stated last time I was here, having once made exemptions, it seemed a logical conclusion that more of them must follow. This was a case in point, and it certainly is a very great hardship and one which has been much spoken of. The position in which ships coming from the north of Europe have found themselves with regard to pilotage, and with regard to remedies against losses, has been a very hard one, while as regards ships that come from the south of Boulogne, it is a great hardship to the ports opposed to one another on either side of the Channel. A vessel coming from one port to the other, has been compelled to take a pilot compulsorily, when a little way to the northward they do not do so. We therefore came to the conclusion that we ought to extend the exemption as far as the English Channel extended, and to include all vessels trading between ports on the Continent north and west of Brest and ports in Great Britain. A vessel from Havre would then have had the same facilities as a vessel coming from Antwerp; a vessel coming from Cherbourg to Southampton with a cargo of eggs, would not be compelled to take a compulsory pilot, and it would also tend to increase the trade which is getting up from St. Malo and other places across the Channel. We have come to that conclusion, and we sent to the Board of Trade requesting their consideration as to whether it would not be advantageous to extend the exemption to cover the whole of the English Channel.

11887. That would be traffic in passing over the South Channel?—Yes. The argument is this: there is no doubt that the original idea was that, if vessels were away for any time from the port of London, or other port they belonged to, they would lose their knowledge of the pilotage, and that was quite true when ships were only sailing ships; but now that the coasting trade has been driven into steamers, the question of distance is annihilated almost, and a man can get as quickly up from St. Malo or Brest as he could do formerly from Margate, or Dover. Therefore we thought it reasonable and right that, having extended the exemptions already, we should go on and extend them to such further degree, as we thought the interests of trade demanded, and were consistent with the law now in force.

11888. I think I understood you, in your examination the other day, to lay down the rule that, the exemptions having been once admitted, it was like the opening of waters, the whole must gradually become greater, and the exemptions must become greater?—Yes. I think that, whether you pass this Bill or not, that end will come one day or other; it may be by a gradual or it may be by an exhaustive process.

11889. Mr. *Price.*] You expressed an opinion that the pilotage of the Clyde stood upon a somewhat different footing to the ordinary pilotage jurisdiction, and that is an opinion in which I entirely concur; do not you think that that also applies to all places where the navigation is an artificial navigation; wherever a river has been converted into an artificial navigation by artificial works; does not it occur to you that that is a different case to ordinary sea pilotage?—Yes; I look upon the Clyde as a place where there is no pilotage proper whatever. You know your depth of water; you get in between a couple of walls, and all you have to do is to follow your nose. All you want to know is, that you do not get on to something which was not there when you come down again.

11890. You said that you considered it was rather a harbour master's question than a pilot's question?—Yes.

11891. Do not you think that the same rule will apply to cases, whatever they may be, where the navigation is not a natural navigation, but an artificial one?—Yes, I think so.

11892. Then it is a harbour master's question, and not a pilot's question?—Yes.

11893. The general tenor of your evidence which relates to now compulsory pilotage is with reference to sea pilotage, and not to this artificial river pilotage?—That is so.

11894. Mr. *J. S. Hardy.*] You said that the Liverpool pilotage was conducted on an excessive and extravagant scale: has the pilotage at Queenstown anything to do with the Trinity House?—No.

11895. We have it in evidence that they pay the same pilotage for Queenstown that they do at Liverpool?—I do not know about that.

11896. What is a fair payment for Queenstown cannot be an unfair payment for Liverpool, can it?—I did not mean to leave the impression that the rate of pilotage was extravagant at the port of Liverpool, but rather that the whole arrangement, the number of men and boats, and the service altogether, was on a somewhat extravagant scale; I did not say that the rate of pilotage was extravagant.

11897. Then the pilots are the losers by the disturbance of the system, and not the public?—I think some of them are.

11898. Mr. *Cave.*] Do you know the navigation of the River Avon?—Pretty well.

11899. I suppose you would class that with the

Sir *F. Arrow.* 14 June 1870.

the Clyde as a river navigation, in which there ought to be a harbour master with proper superintendence?—I think so very much; but the "Avon" is not the same as the Clyde, there are no training walls; there is a very great rise and fall of the tide, and it is very rapid, so that I do not think it is quite the same as the Clyde; I think it is more of a pilotage than the Clyde is.

11900. Do you think that pilotage ought to be kept up in the Avon?—Yes, because the time of tide is the great thing to know in the Avon; that makes all the difference; they navigate with the tide in the River Avon, from the great rise and fall it is a bagatelle until they are short of water, and then it requires all the pilot's knowledge to keep the ship in the channel.

11901. Are there not artificial works for improving the navigation of the River Avon?—I do not know that.

11902. Do you know the port of Swansea?—I know very little of it.

11903. We have it in evidence, that in Swansea also, there was considerable difficulty with regard to sailing vessels in getting them into the harbour without pilots; can you pronounce any opinion upon that subject?—I should not like to do so, as I know so little about Swansea; but I can easily imagine that there is a difficulty in a number of ships coming to the dock at one time.

11904. There is a Parliamentary Return issued from the Trinity House about casualties in the south, from Dungeness, and it appears that there were only three casualties to vessels that had pilots; but that all the casualties, with the exception of three, happened to vessels without pilots; but how do you explain that?—I do not think that is a Return of the Trinity House.

11905. It is a Parliamentary Return that came out some months ago?—I am not aware of it.

11906. There was a Return that showed that?—I should think that what it showed was simply that the pilot's skill was very necessary, and that the men in charge of these vessels did their duty; but it does not show to my mind that it was in consequence of pilotage being compulsory.

11907. I suppose you would say that the casualties which happened to vessels without pilots, of course happened to vessels that were exempt from pilotage?—I really do not know the circumstances, but I suppose it is so.

11908. Supposing those vessels had been compelled to take pilots, would not it have been likely that those vessels would have been saved?—It is possible that they might have been.

11909. But you do not know of that return?—No, I have never seen it; I should think it came from the insurance offices; but I doubt whether it is not in the class of vessels that are now exempt altogether that these losses occurred.

11910. And possibly they were an inferior class of vessels?—I think so, most probably: it is the well-found and managed vessels that follow up their business in the proper way, that take pilots, and do that whichis right; and there is no question that there are some vessels that do not do what they ought.

Mr. Robert Lee, called in; and Examined.

Mr. *R. Lee.*

11911. Mr. *Grieve.*] I believe you are a Deep-sea Pilot of the Port of Greenock?—I am.

11912. You have pilotage water from Port Glasgow to Cumbrae Head?—Yes.

11913. How long have you been a deep-sea pilot?—Seventeen years.

11914. Have you had frequent cause of complaint, owing to the bye-laws of the committee in Glasgow; do the river pilots infringe upon your pilotage grounds?—Frequently, and we have had to complain of it.

11915. Will you state in what way the river pilots have interfered with you?—The river pilot's license extends to Newark Castle, Port Glasgow; the deep-sea pilot's license extends from Newark Castle to Cumbrae Heads. In the river pilotage it is compulsory; from Newark Castle out, it is optional. The river pilots frequently go down piloting vessels out in our limits, of which we have to complain.

11916. Do they frequently take steamers to Gareloch, where the compasses are adjusted?—They do that frequently. In the bye-laws there is Clause 18, that permits the river pilots to take the vessels to adjust the compasses, which we have reason to complain of.

11917. I believe the Gareloch is within your limits?—Yes.

11918. I believe there has been a great increase in iron ships of late years?—Yes.

11919. Do all these ships go to Gareloch to get the compasses adjusted?—Yes.

11920. Your complaint is, that the river pilots frequently take those ships which you consider should belong to deep-sea pilots?—Yes; that is what we complain of.

11921. Have you received any redress from the Pilot Board?—No; we have petitioned frequently, but have received no redress.

11922. Was not there a case a short time ago, when a river pilot was suspended for taking a ship from Port Glasgow to Gareloch?—I think in the case of the "Alexandra," one instance of that kind occurred.

11923. But notwithstanding that, they continue to take those vessels to Gareloch, to your prejudice?—Yes, and out to sea, and all round the coast.

11924. And you are not allowed to take a vessel past Newark, Port Glasgow, upwards?—No. We say if they get permission to go out of their limits, give us the same privilege.

11925. Have you any opinion to give with regard to the river being thrown open, that compulsory pilotage should be done away with, and that you should have the opportunity of taking vessels up to Glasgow, if they take them into your waters?—If we were duly protected in our limits, and the compulsory pilots were not allowed to infringe upon us, we would be perfectly satisfied.

11926. But you think, if they come into your waters, you should be permitted to take vessels up the river also?—Yes.

11927. Have you been a river pilot?—No; I have passed my examination, but I have never acted. We think it unjust for these men to go out into waters they are not licensed for.

11928. Have you any opinion to offer to the Committee with regard to the pilotage of the river above Greenock?—No.

11929. Do

11929. Do you consider yourself competent to take a vessel up the river?—Yes.

11930. Are the majority of the deep-sea pilots, if not the whole, competent for that duty?—Yes.

11931. Do vessels usually take a steamer from Greenock up to Glasgow?—Yes; the steamers assist them round the different heads, so that it is nothing but to steer after the steamer. I might state that I have piloted 1,500 ships since I have been a pilot, 156 of which I have piloted to different ports in Ireland, England, Scotland, France, and Germany; and I think I may say, without fear of contradiction, that I have not done five shillings' worth of damage in all.

11932. Have you brought one of the British India steamships from the Clyde to London?—Yes, two.

11933. Have you just arrived in London today with one?—Yes.

11934. Will you just show the certificate you got from the master of that ship?—This is it—

[*The same was delivered in, and is as follows*:—]

"This is to certify that the British India Steam Navigation Company's S.S. of India has been piloted from London to Glasgow, and *vice versâ*, by Mr. Robert Lee, very much to my satisfaction. Further, that Mr. Lee is possessed of first-class abilities, and is extremely vigilant and attentive.

"*W. H. Parker.*

"S.S. of India,
"London, 14 June 1870."

11935. I think you said that you have piloted altogether some 1,500 ships?—Yes.

11936. And that you have scarcely ever met with an accident?—No.

11937. Have many accidents occurred in your pilotage water with pilots who belong to the river?—The only accident that I am aware of occurring in our limits was with the "William Connel." A barge was run down below Port Glasgow, and the "William Connel" was run down, and the "Iona" was run down below Greenock. These were in charge of river pilots.

11938. *Chairman.*] How many pilots are there at Greenock?—There are about 18 deep-sea pilots in active service.

11939. What does your employment mainly consist of; is it in piloting vessels outwards?—Principally in piloting outwards, and to and from Gareloch. We complain of the river pilots taking vessels down there in our limits.

11940. You often pilot vessels a long way to the ports all round the coast?—Yes.

11941. Are some of you stationed in boats, some way out to sea?—Outside; I may say that I was three years in a pilot boat, when I was a youngster.

11942. How many pilots are in the vessels out at sea?—About 18 pilots are licensed.

11943. Besides those you mentioned?—Yes, besides the river pilots; but others act without license.

11944. Do a large number of vessels coming up to Greenock take pilots far out to sea?—A good many.

11945. Sufficient to make a livelihood for a man to act as a pilot?—Yes; a man who pays attention to his duty, and is well qualified, can make a good livelihood.

11946. Do each of the pilots earn for himself?—Each for himself.

11947. What do they make, on the average?—I really cannot say; it depends upon the quality of a man.

11948. What will a good man make?—I would say 200*l.* a year.

11949. Is that what you make yourself?—Sometimes, and sometimes I make more than that.

11950. We have heard already testimonials to your character; what do you make, on the average?—Really, I am not able to say; I should say 200*l.*

11951. You do that without any great difficulty, I suppose?—I am within the mark when I say I make that.

11952. Are there several of you that make an income like that?—Yes; I should make more than that if the river pilots were kept in their own limits.

11953. Even under that disadvantage, you make a very fair income?—Yes: or if they would give me permission to go to and from Glasgow, the same as they permit the river Gross pilots to come into our limits, I should make 200*l.* a year.

11954. Do you see any reason why you should not be allowed to go up to Glasgow?—No.

11955. Many Glasgow pilots do come into your waters and pilot vessels through them, do they not?—Rule 18 permits them to take steamers on trial trips, or for other casual purposes, and that includes steamships and other things.

11956. Is that only for trial trips?—Yes.

11957. Practically, it is for all purposes?—Yes; this is what we complaim very much about.

11958. Your system is a purely voluntary system; no compulsion is wanted to take a pilot?—No.

11959. I presume that only the larger class of vessels take pilots?—Yes.

11960. Small vessels do not take them?—No.

11961. The navigation up to Greenock is a very easy pilotage?—Yes; but there is one thing I would suggest as to where compulsory pilotage would be required, that is in the case of passenger ships and very valuable ships with very valuable cargoes.

11962. But very valuable ships with very valuable cargoes are not bound to take pilots, are they?—No; but if any ships at all should be compelled, it is ships of this sort.

11963. But you do not think it necessary that even those should be compelled?—No.

11964. As a rule, you find that the valuable ships do take pilots?—Yes.

11965. In order to make themselves safe against any chance of damage?—Yes. I have been piloting Patrick Henderson & Company's passenger ships for 14 years.

11966. Where do the inward pilots generally cruise?—Off Pladda, outside the Cumbraes.

11967. How far is that from Greenock?—About 40 miles.

11968. Do those pilots keep themselves distinct from the outward pilots or not?—No; they are out and in.

11969. Sometimes they pilot vessels outwards and sometimes they pilot them inwards?—Yes; it is voluntary either way.

11970. Do they make as good a thing of it as you do, who are mainly employed in piloting outwards?—No.

Mr. *R. Lee.*
14 June 1870.

11971. Do more vessels take pilots inwards or outwards?—More take them outwards, especially iron ships.

11972. They are principally vessels on their first voyage, are they not, after being built on the Clyde, going outwards?—Yes.

11973. That forms a very large item of your pilotage?—Yes.

11974. With those new vessels which are just launched, it is a great object for the owner to send them safely to their destination, I suppose?—Yes.

11975. Therefore they do not run any risk whatever?—No. A man who is qualified is taken as far as Waterford or Cork.

11976. Do many foreign vessels come to Greenock?—Yes, a great many.

11977. Do they take pilots?—A great many of the Cork and Falmouth pilots come with them, and we complain very much of it.

11978. Are you not entitled to supersede these pilots when you find one of them on board?—No.

11979. Are you not under the regular system of pilotage at Greenock?—Yes, we are; but when we complain of these things, we get no redress.

11980. Mr. *Stevenson.*] Have you tried to supersede one of the Waterford and Cork pilots when they come into the Clyde?—Yes.

11981. Have you tried it before a court of law?—No, we have tried it before the pilot board, but we have not tried it before a court of law.

11982. What you would like would be, to abolish the distinction between the two classes of pilots in the Clyde, and make only one class from Glasgow to Cumbrae?—Let them be separate and distinct, and keep to their own limits; where it is compulsory with them, it is voluntary with us; and we say it is hard that they should be allowed to pilot these vessels.

11983. If they are allowed to encroach upon your limits, you want to be allowed to encroach upon theirs?—Yes.

11984. Is it because yours is a compulsory district, that you would like the liberty?—No.

11985. Do you approve of compulsory pilotage in the upper part of the Clyde?—No, I think it is very hard that coasters and small vessels, and men well acquainted with the pilotage, should be obliged to take a pilot, knowing the channel better than the pilot in some cases.

11986. You do not think that the upper navigation of the Clyde is so difficult as to require compulsion in the Clyde?—No.

11987. *Chairman.*] Do you think, for the sake of order, that it is desirable to maintain compulsory pilotage in the upper part of the river?—I have not considered that question.

11988. I believe you are aware that there are a large number of masters licensed for pilotage in the Clyde?—Yes.

11989. And masters of little coasting vessels running down the river?—Yes, a great number.

11990. Mr. *Stevenson.*] What you complain of as regards Rule 18 is not as to the rule itself, but that it is not carried out?—The rule is not carried out.

11991. The rule only refers to trial trips; but they go to the Garelock to adjust compasses?—Practically, it is with regard to trial purposes.

11992. How far do you go down Channel when you take a ship out?—To Waterford and Cork.

11993. How far down the Clyde do you go?—Sometimes to the Cumbraes, and sometimes to Pladda.

11994. You say that the "Iona" was run down below Greenock when in charge of a river pilot?—Yes; he was outside his own boundaries, and there was a river pilot on the "Chanticleer" that run her down.

11995. That accident occurred within limits of river pilots, between two vessels, said river pilots having no right to be there?—Yes.

11996. Mr. *Norwood.*] Is it more difficult to pilot a vessel with a valuable cargo on board than a vessel with a cargo not so valuable?—No; but it is necessary to use every precaution to protect life and property.

11997. There is no more difficulty in the navigation itself; the two ships are the same?—Yes.

11998. It is merely a matter of degree as regards cargo?—Yes.

Mr. William Adams, called in; and Examined.

Mr. *W. Adams.*

11999. Mr. *Grieve.*] You have heard the evidence given by Mr. Lee?—Yes.

12000. Do you concur in it?—Yes.

12001. I believe you have been a pilot for 31 years?—Thirty-one years.

12002. *Chairman.*] What do you make by pilotage?—I used to make a good deal. At one time I had two large boats, but the steamers have done them up, and the river pilots get the best of it.

12003. What used you to earn when you were doing more?—I used to make 200 *l.* or 300 *l.* a year easily.

12004. How many pilots are there at Greenock making 200 *l.* or 300 *l.* a year?—Just now, there are very few; but for myself, I have not made anything like 40 *l.* or 50 *l.* a year.

12005. What number would you say make that amount?—Some that go round to London and Cork, and round the coast, get a good sum.

12006. Are there 8 or 10 making 200 *l.* or 300 *l.* a year?—No; five or six.

12007. What do the others make?—The rest do not average more than 40 *l.* or 50 *l.* a year.

12008. Mr. *Stevenson.*] Those large amounts are not made by piloting in the Clyde, but by going distances?—Yes.

12009. If they were paid by the time they spent in the Clyde, they would not make so much?—No; they would not make more than 50 *l.* on the average; but the river pilots having this compulsory branch, do the deep sea pilots out altogether. They have the advantage of taking the ships across to the Gareloch, and that is one of our best piloting, the Cumbrae Heads.

12010. Mr. *Grieve.*] I think you said that you generally confirm the evidence given by Mr. Lee?—Yes.

Mr. MATTHEW LAMONT IRVIN, called in; and Examined.

12011. Mr. *Grieve.*] I BELIEVE you have been 16 years Master of a Vessel on the Clyde?—Yes.

12012. When did you become a Deep-sea Pilot?—Within the last six months.

12013. You have heard the evidence given by Mr. Robert Lee?—Yes.

12014. Do you confirm him in it?—Yes; I concur in it.

12015. Have you any other observation to make?—I think Mr. Lee erred in saying that the 18th clause extends to sailing vessels, because the 18th clause expressly mentions steamers, and does not mention sailing vessels; and one of the things the deep-sea pilots complain most of is, not of the case of the steamships so much as of the sailing vessels; because in that clause they have got the privilege of taking steamers down to the Gareloch to adjust compasses, and to make trial trips, but not the sailing ships; and after that privilege was given they took advantage of it, and took the sailing vessels down.

12016. Owing to the increase of iron ships, that has become a profitable branch of your business?—It is a valuable branch; a river pilot will get nearly double for adjusting a 1,200 ton ship in the loch, than what they will get for the whole river pilotage.

12017. And they are taking the bread out of your mouth?—Yes; and unless they are put a stop to, and kept within their limits, we might as well be unlicensed altogether.

12018. Have you formed any opinion as to the privilege of taking ships to Glasgow being extended to the deep-sea pilots, if the river pilots are allowed these privileges in your waters?—I would not care about going to Glasgow, because I have done tolerably well; but if the voluntary system was extended to Glasgow as well as down below Greenock, it would act better for all concerned. I do not think that any ship, with few exceptions, would go to Glasgow without a pilot.

12019. From the short time you have been a pilot, do you see your way to making a good living of it?—Yes; if the river pilots are kept within their limits, I see my way clear, not only to making a good living, but making a competency.

12020. Do you concur generally in the evidence that has been given?—Yes.

Mr. *M. L. Irvin.*

14 June 1870.

Wednesday, 15*th June* 1870.

MEMBERS PRESENT:

Mr. Brassey.
Mr. Cave.
Mr. Gourlay.
Mr. Graves.
Mr. John Stewart Hardy.
Sir John Hay.
Mr. Shaw Lefevre.
Mr. Malcolm.
Mr. Phillip Wykeham Martin.
Mr. William Phillip Price.
Mr. Stevenson.
Mr. Charles Turner.
Sir Charles Wingfield.

GEORGE JOHN SHAW LEFEVRE, Esq., in the Chair.

Mr. Howard Fox, called in; and Examined.

Mr. *H. Fox.*
15 June 1870.

12021. *Chairman.*] I believe you are a Merchant and Shipping Agent at Falmouth?—Yes.

12022. And also a member of the Chamber of Commerce, and a director of the Falmouth Docks?—Yes.

12023. Has the Bill for the abolition of compulsory pilotage been under the consideration of the Chamber of Commerce of Falmouth?—Yes.

12024. What is the general opinion of the members of the council upon the subject?—They unanimously agreed to petition Parliament in its favour.

12025. Will you state shortly the reasons you have for thinking that compulsory pilotage should be abolished for Falmouth?—Falmouth Harbour has no outlying difficulties, and is so easy and so free from any danger whatever that many masters can anchor their ships as well without a pilot as with one. The present system results in the pilots staying in port in bad weather and earning all their money in fine weather, when there is no necessity for them.

12026. I believe Falmouth is a great port of call for vessels?—There are 3,000 foreign-going vessels calling every year.

12027. There is very little actual trade at Falmouth?—There is no import or export trade to speak of.

12028. And in that respect, as a port of call, how does it compare with Queenstown; comparing the navigation of Falmouth with Queenstown, what would you say?—Masters often say that they never want a pilot. Falmouth is so easy a port that they would much prefer being without one.

12029. At Queenstown the pilotage is voluntary, is it not?—Yes, and many vessels prefer Queenstown if they can reach it.

12030. Is that on account of being free from this charge?—Yes.

12031. Is the navigation of Falmouth practically as easy as that of Queenstown?—It is very easy, indeed.

12032. You were saying that during fine weather the pilots made sufficiently large sums of money to make them independent, and therefore they were not so active in bad weather as they would otherwise be?—Yes; they often board vessels just as they are anchoring. They hail the vessel, and the master has to pay the pilotage just the same as if he had the pilot's services.

12033. Do they not go out in bad weather?—The complaints are innumerable from masters of vessels, at finding no pilots at sea in bad weather.

12034. Just at the time when the vessels most want them?—Yes.

12035. Is it your opinion that if compulsory pilotage was abolished, the pilots would find themselves compelled to go out in bad weather?—They would have to make their harvest in bad weather instead of fine weather.

12036. Have vessels been delayed in bad weather, from not being able to find a pilot?—Yes, and they have to run up channel to other ports in consequence.

12037. Supposing compulsory pilotage is abolished, is it your opinion that there will be sufficient employment to induce men to follow the pursuit of pilots?—Yes, certainly.

12038. You think that there would be considerable employment for them in bad weather?—Yes; a master who had never come to the port before would often take a pilot.

12039. And even in fine weather?—Many would employ them in fine weather.

12040. There must be a large number of foreign vessels calling there, which have never before been to the port?—Yes.

12041. And in those cases they would want a pilot, even in fine weather, would they not?—Many would take pilots.

12042. Therefore, in your opinion, there would be abundant employment for a large staff of pilots, just as is now the case in Queenstown?—Yes.

12043. Is it the fact that several of the captains of the mail packets, which come to your port, now object to take pilots?—From experience they find that the pilots are so useless, that they will not allow them to take charge.

12044. They prefer to pay the pilotage charge, without having their services?—Yes.

12045. I presume the pilots have not much experience of steamers?—They have not much experience of large vessels.

12046. Therefore

12046. Therefore the captains of the steamers do not like to give over their vessels into their charge?—No; there are constant collisions from the mismanagement of pilots which would not have occurred if the master had not given up the command.

12047. Is it your experience that collisions frequently occur from the inexperience of pilots managing large vessels?—Yes.

12048. On the whole, the Chamber of Commerce of Falmouth is strongly of opinion that compulsory pilotage should be abolished, and that advantage would result to the town from the passing of this Bill?—They are very strongly of that opinion.

12049. They believe that it will bring more trade to the port than at present frequents it?—Yes, it will materially increase the trade of the port.

12050. Mr. *Stevenson.*] Do foreign ships bound to foreign ports call for orders at Falmouth?—Yes.

12051. Is that because the French coast is a bad one to call at?—It is the most convenient port.

12052. Is it not the case that those vessels have been liable to light dues by calling for orders?—Yes.

12053. That is to be altered?—Yes.

12054. Will that increase the number of foreign ships that select Falmouth to call for orders?—Yes.

12055. And that will increase the earnings of the pilots for the future, will it not?—Probably.

12056. So that in that respect, although compulsory pilotage should be abolished, there is a prospect of increased employment for the pilots, notwithstanding the change?—Yes, that is so.

12057. Mr. *Malcolm.*] Do not you think that the fact that the pilots go to sea in bad weather, and not in fine weather, is more the fault of the pilotage authorities than the system of compulsory pilotage?—It is very difficult to remedy it; very few masters will take the trouble to make formal complaints. There are some occasions when a pilot has been suspended for a short time, but the evil occurs again the same as ever.

12058. You say that Falmouth is so easy of access that pilots are not required, and yet you say that vessels are delayed in bad weather because they do not get a pilot?—I refer more to the weather. A master who has once been to Falmouth would probably not take a pilot in future, particularly if he is obliged to give up the command of his vessel to that pilot.

12059. Is that the fact; is he obliged to give up his command?—At present he is.

12060. In point of fact, you think that, as the system is at present constituted, the Falmouth pilots are thoroughly inefficient?—Many of them are very inefficient.

12061. Mr. *Gourley.*] Have you much loss of shipping at Falmouth?—In a gale in March 1867, there was a very great loss.

12062. But I believe the harbour is so capacious at the entrance that vessels can be worked in and out by their commanders without the assistance of pilots?—Very easily.

12063. Is it well buoyed?—The channel is very wide and the steam tugs generally tow the vessels to sea.

12064. With the assistance of steam tugs the pilots are really of no service whatever to the ships coming to your port?—Not going to sea; the ships are delayed waiting for pilots, and that is a very serious loss to the merchants and shipowners.

12065. If this Bill becomes law, I apprehend that the captains would not wait for the pilots, but that they would go into Falmouth navigating their vessels according to their own judgment?—Yes.

12066. The channel being broad, is it also sufficiently well buoyed?—Quite sufficiently buoyed.

12067. What is the primary cause of danger in the neighbourhood of Falmouth; is there any danger in the coast, or is there simply danger of collision from the large crowd of vessels sometimes in the port?—There is no danger, but a vessel making the port for the first time would naturally prefer having a pilot.

12068. But in the absence of a pilot there would be no difficulty in a vessel entering the port?—No; there is the black rock in the middle, with a beacon on it.

12069. Is it lighted up at night?—No.

12070. Can vessels enter the harbour at night without the assistance of a pilot?—Yes.

12071. You said that the pilots are not in the habit of going out to look for vessels in bad weather; is there no pilotage board by which the working of pilots is regulated?—There are three sub-commissioners of pilotage.

12072. Are the pilots subject to those commissioners?—When a complaint is brought against a pilot, the case is heard before the sub-commissioners, and if great neglect is shown the pilot is occasionally suspended for a short time.

12073. Under whose authority are those sub-commissioners?—Under the authority of the Trinity Board.

12074. Would it not be much better that you should have a pilotage board with the elements of merchants and shipowners belonging to the port to regulate the working of the pilots?—There is a Bill now before Parliament to create a harbour authority to regulate the mooring and berthing of ships that use the port, that will do all that is necessary.

12075. And that will improve the pilotage system whether it is voluntary or compulsory?—Yes; I have a letter from the largest shipowner in Falmouth, he is also agent for several insurance clubs. He says, "In reply to your questions on the pilotage at this port, I can only state that during the last 16 years that I have resided in Falmouth, and for six years previous to it, I was constantly trading to the port, it has always been loudly complained of by shipmasters, their being compelled to take a pilot, and in stormy weather seldom one to be had. I have frequently seen ships running in without pilots, and flags up, but could get none, whilst pilot cutters were in at their moorings; those cases were so frequent, as well as the complaints of the masters, that no one made any note of them. The Cape steamers, belonging to Mr. Gray, mostly paid for pilots, but seldom had them. Captains Stark and Edgington always preferred to be without them; the latter had to bring his ship in on a dark stormy night, the first two voyages without a pilot." That is Mr. Handcock; he is the largest shipowner at Falmouth, he represents most of the clubs in the north of England, and he is surveyor for the Bureau Veritas.

12076. *Chairman.*] He has large experience of foreign vessels coming into the port?—Yes.

Mr. *H. Fox.*

15 June 1870.

12077. And I believe he is a nautical man?—He is.

12078. Mr. *Malcolm.*] Are not the Falmouth pilots under the Trinity Board?—Yes.

12079. Then how is this Bill going to improve them?—I think they will be much more active.

12080. But they will be under just the same regulations as they are at present, will they not?—Yes, but when they have to work a little harder for their money, they will do the work better also.

12081. *Chairman.*] They will then seek their vessels, instead of their vessels seeking them?—Yes.

Mr. Henri Josse, called in; and Examined.

Mr. *H. Josse.*

12082. *Chairman.*] You are a merchant at Grimsby?—I am a merchant in Grimsby, and I have resided at Grimsby since 1855.

12083. And you have had considerable experience of the shipping at Grimsby?—Yes, very large, both in steamers and sailing vessels.

12084. The pilotage of Grimsby is practically under the Hull district?—It is under the Hull district management altogether. The Grimsby pilots are appointed by the Hull Trinity House, and the earnings are collected by the Commissioners in Hull, and they do the work for Grimsby.

12085. The pilotage is compulsory on all foreign-going vessels?—It is, going both ways, and it is very stringent, indeed, because the Act of Parliament, which is special to the Humber, I believe, makes the merchants liable for the pilotage. The merchant who clears the ship is liable for the pilotage, so that if a captain thinks fit to go without taking a pilot, the pilotage still would fall upon the merchant; so that when any merchant in Grimsby, or shipbroker in Grimsby clears a ship, he has to charge the captain with the pilotage amount before the pilotage has been earned.

12086. Are there any exemptions in respect of foreign-going ships?—There is no exemption whatever.

12087. The exemptions are only in favour of the coasting trade, I believe?—Yes; I may say that Grimsby has a very easy access, and there are always plenty of tugs at the mouth of the Humber. There are between 15 and 20 tugs which take the vessels in and out, and most of those vessels do not require pilots. These vessels trading to Grimsby are not valuable, like the vessels trading to London and Liverpool, and the cargoes are not so valuable either, and the voyages are much shorter; so a Baltic vessel makes two, three, or more voyages with the same captain, and the pilotage is very heavy.

12088. They are mostly vessels going to the north of Europe, are they not?—Yes.

12089. Vessels which, if they went to the Thames, would be free from pilotage?—Yes.

12090. But coming from the Humber, they are liable to pilotage?—Yes.

12091. What is the total amount paid for pilotage, in respect of vessels coming to Grimsby?—I believe the pilotage paid in Grimsby is between 4,000 *l.* and 5,000 *l.*

12092. How many pilots are employed there?—Twelve. I believe the pilots get half of the money paid, and the other half goes to Hull, and is disposed of by the Commissioners as they think proper.

12093. Upon the whole, is it your opinion that compulsory pilotage should be abolished as far as Grimsby is concerned?—Yes; we have French steamers there, trading between Grimsby and Dieppe; I sail a steamer every two days, and I receive a steamer every two days, so that I have a steamer going out or coming in every day. Those are French steamers built in England. Originally those steamers were subject to pilotage; that was 5 *l.* for each pilotage, which is equal to 150 *l.* a-year for each steamer; but our French captains have been received pilots of the Humber and now we save the pilotage.

12094. They have obtained a certificate?—Yes, and both the owners, ourselves, the insurer, and the French underwriters, prefer the vessel to be managed altogether by the captains rather than the pilots. We never have had a single accident going in or coming out of the harbour since our captains have piloted the ships, but before we had several, and there never was any redress.

12095. Is it your opinion that placing large vessels under the complete charge of pilots, has tended to accidents?—Yes; and very often long delays have taken place, of which the captains have complained, but now we never employ them; I may say also, that there is a large class of vessels which belong to the Humber. Those little vessels which are about 150 to 180 tons go to Dunkirk, or Havre, or Dieppe, and they are liable to pilotage both ways. Those little vessels carry a freight worth about 50 *l.* or 60 *l.* and they have between 2 *l.* and 3 *l.* to pay in pilotage; and most of the captains belonging to the Humber know the river as well as the best of the pilots.

12096. Are the vessels which you speak of vessels engaged in the coasting trade, but which occasionally take voyages to the Continent?—Yes. If a vessel goes to Dunkirk, there is a pilotage of 2 *l.* 10 *s.* or 3 *l.* to pay.

12097. There it is not worth while for a captain to get a certificate in the ordinary manner? None of the captains of sailing vessels are received pilots, because they are not in the port enough. It is only a captain who resides in the place who takes his certificate. The captains of the Hull and Grimsby steamers are generally Humber pilots, but no captain of a sailing vessel, to my knowledge, is a Humber pilot.

12098. What is the reason of that?—I do not know exactly the reason, but there is some difficulty about it. A captain has to pass an examination, and he has to stop on shore two or three days to do so. A sailing vessel comes to Grimsby two or three times a year, and a captain will not take the trouble, of course, or go to the expense of being received a Humber pilot.

12099. Have you paid considerable sums of money for pilotage during the last few years which you consider, practically, thrown away?—I pay an average, now, of over 1,000 *l.* for sailing vessels; but when our steamers had no pilotage I was paying 500 *l.* or 600 *l.* more.

12100. But you still pay at the rate of 1,000 *l.* a year?—Yes, or more than that.

12101. Out of that, how much do you consider you would pay in the event of this Bill being passed?

passed?—I suppose one half or two-thirds of them would still take a pilot, but I think the service would be better rendered if it was thrown open. There is no emulation among the pilots. They know perfectly well that their services are compulsory, and that they will be paid. They only get a certain per-centage of the charges. I believe half of their earnings go in extra per-centage.

12102. In your opinion there would be a considerable employment for pilots after the passing of this Bill, though it would not be so great as at present?—Yes. From what I know of Grimsby, the pilots are anxious that it should be thrown open. The whole of the Grimsby owners, with the exception of one, would like it.

12103. In your opinion, after the passing of this Bill, there will be sufficient employment for a considerable staff of pilots, and those men will be more active, and their services will be better rendered?—Yes.

12104. Have there been any evil results from the operation of the law which exempt the owner from responsibility, where there is a compulsory pilot on board?—The owner is exempted from the damage he causes to another ship, but if he sustains any damage himself, he has no redress with the compulsory system. The pilots are men who earn 120 *l.* a year, and they are not answerable for any damage, so that you have no redress at all; I have known several cases. The Board of Hull does not acknowledge any liability of the pilots; the pilots themselves being poor men, have nothing to answer for, and therefore there is no responsibility whatever. If a pilot does any damage you have to stand by it, for you have no redress whatever.

12105. You stated just now, that the navigation to Grimsby is very easy, and that it is inside the Humber river?—Yes, it is very easy, and it is nearly opposite the Spurn Roadstead, which is the best road on the east coast; and besides that, the tugs belonging to Grimsby and Hull are constantly there, and they get in and out without requiring any pilots. Many captains would not take a pilot when they took a tug, because the tug does the work.

12106. Do you know anything of the navigation of the Humber river up to Hull?—I do not practically; I know what the pilotage is in Hull, because I have an office there.

12107. Are the difficulties of the navigation great or not, from Grimsby up to Hull?—I get a great many vessels coming from Hull to load in Grimsby. The captains complain, because the vessels are obliged to take a pilot coming down from Hull to Grimsby; they are still obliged to take a pilot, even if they move from Hull to Grimsby.

12108. Are they not exempt as coasters?—No, they are not considered coasters, becase it is the beginning of a foreign voyage; if a vessel takes a ballast of coal, or a ballast of sand, and comes down to Grimsby to load, it is not a coasting voyage at all, it is a portion of a foreign voyage. The authorities interpret it in that way; I tried to resist it on behalf of the captains, but it was of no use; they would enforce the pilotage.

12109. Is there not a considerable number of small vessels running up to Goole, and other places?—Yes; but there have not been so many lately.

12110. I suppose the steam trade has rather interfered with them?—Yes; at one time there were a great many small French vessels coming in from Bordeaux, and all that district into Goole, but it has been much reduced, and those men have been complaining fearfully of the expense, in fact, they had no idea of the expense; the pilotage from the mouth of the Humber to Goole is fearful.

12111. It must be a very serious charge to the vessels?—It is more than they expect to earn in a voyage; the captains will not have come, except from having the order and being bound to come, and when they found their mistake there was no end to the complaints.

12112. It is a very serious item on the whole concern?—Yes; it is a great tax upon the shipping, and only one-half of what is collected goes to the pilot.

12113. The remaining half goes in the expenses of boats, and management in Hull?—Yes.

12114. In your opinion, the whole expense connected with pilotage might be materially diminished with great advantage?—Yes, it would be to everybody's advantage; to both the vessel and the pilot as well.

12115. You think that an advantage will result even to the pilot?—Yes; there are a number of poor pilots who would have to give way, but the good pilots who understand their business would make a good living.

12116. Good pilots will continue to make a good living out of it, and inferior ones will be practically taken off?—Yes.

12117. Mr. *Graves.*] Do your vessels trade to France?—My steamers do trade to France regularly.

12118. What is the system of pilotage that you find there?—In France, pilotage is also compulsory; but I believe there is now the same stir in France as there is in this country about pilotage, and I am convinced that it will soon be abolished.

12119. Have you at all compared the rates you pay in France with the rates you pay in Grimsby?—I think they are very nearly the same; there is a very slight difference in the pilotage; I can only give the pilotage in Dieppe; I know nothing of any port except Dieppe. In the port of Dieppe, the pilotage would cost us about the same on the French side as it would cost us on this side if we were to employ a pilot.

12120. Is the navigation of Dieppe more difficult than the navigation of Grimsby?—It would be more difficult, certainly.

12121. Is it?—It is more difficult.

12122. In Dieppe, where your vessel trades, the compulsory system is in full force, is it not?—It is in full force.

12123. You said, you felt that it would be to the advantage of the pilots that this charge should be made?—Yes.

12124. Have you been able to persuade them that it is to their advantage to lose 500 *l.* a year?—I have not persuaded them on the subject, but I heard two or three of the best pilots in Hull speaking on the subject. Those pilots complain that a great deal of their earnings is wasted. When they know that they earn about 4,500 *l.* every year, and receive less than half of it, they do not consider it fair. At the same time, those who are good pilots fancy that, if it is a free trade, they will do better than they do now.

Mr. *H. Josse.* — 15 June 1870.

12125. I think you stated that, from one-half to two-thirds of your own vessels would still take pilots?—Yes.

12126. If all the shipowners of Grimsby took the same view as you do, of course there would be only one-half to two-thirds of the vessels entering Grimsby who would take pilots?—I do not think that there are half a dozen of the vessels which come there belonging to the port; most of them are foreigners, or English vessels belonging to other ports.

12127. I believe your vessels are mostly foreign vessels?—Yes, but not belonging to the port.

12128. If only one-half, or two-thirds, coming to your consignment, took pilots, I presume that from one-half to two-thirds of the vessels coming to other consignments, would do the same?—Yes.

12129. It seems an odd kind of reasoning, that you think it an advantage to the pilots that they should lose one-half of their income?—If they were to lose half their income, and save their expenses, which they actually incur, without any reason whatever, they would be no worse off. The expenses of pilotage, which do not go into the hands of the pilots, is more than one-half their earnings.

12130. *Chairman.*] However, you assume that there would be a reduction in the number of pilots.—Yes.

12131. And you think that those who remain, would be better off than they are now?—Yes, and they would not be subject to those heavy expenses, of which they complain.

12132. Mr. *Graves.*] Am I to understand that your objection to the present system arises principally from being taxed for pilots in your port?—Yes.

12133. Mr. *Stevenson.*] You say that more than one-half of the pilot's earnings go to other people?—Yes.

12134. Who gets them?—There is the commissioner of pilots, in Grimsby, and there is the commissioner in Hull. The pilot performs his services, but he does not collect his money, his money is collected on behalf of the commissioners in Hull, and goes into their hands.

12135. Is it collected at the Custom House?—No, it is independent of the Custom House, The Hull Trinity Board is an independent board of gentlemen, in Hull, who manage the pilotage.

12136. And they collect the money for the pilots?—They collect the money for the pilots, and are paid so much per cent. for collecting the money. The whole of the money goes to Hull.

12137. I find that there is 13,738 *l.*, of which amount 10,599 *l.* was paid to the pilots?—I do not think that that is just.

12138. Besides which there is a payment to the "Clerk and Commodore, Collectors, Incidentals, Pilot Cutters, 1,687 *l.*;" is that a necessary expense?—There are seven pilot cutters; I am not a practical man, but the pilots I have seen say that three cutters would be quite sufficient.

12139. Instead of seven?—Instead of seven.

12140. Then there is another item of 939 *l.*, which is described as being deducted from the outward pilotage for apprentices, victuals, tows, barges, boatmen, tug, and hooking vessels?—I do not know the details of that.

12141. Are those necessary expenses of the pilotage?—I believe myself that they are not; but I understand from the pilots that they consider their expenses very extravagant, and the object they have in supporting this Bill is this: the pilots say, in one point of view, this new Bill will reduce our earnings; we must be in a position to curtail our expenses, because if our earnings are reduced, and our expenses remain the same, we have no control over the expenses. It is the Hull Board who regulate the expenses.

12142. They think that if the Bill is passed it will open the door to the reform of those abuses?—Yes; in fact, that is the pilots' view of the question.

12143. Mr. *Malcolm.*] You have read the Bill, I have no doubt?—I know the meaning of it.

12144. How do you think this Bill is to cure these evils; this Bill does not interfere with the Pilotage Board; it leaves the pilots under the control of the same board, does not it?—It will interfere in this way: the pilots are appointed and get their certificate from the Hull Trinity Board in Hull; that will remain the same, but I understand that it will do away with a portion of the management.

12145. I do not think you will find that in the Bill?—I think it does so from what I understand.

12146. Mr. *Gourley.*] Are all the vessels which enter Grimsby, whether coasting or foreign, subject to compulsory pilotage?—Not the coasters.

12147. Are the coasters free?—Yes, coasting to England. All vessels going to foreign ports and coming from foreign ports are liable to compulsory pilotage.

12148. Are the vessels in the coasting trade as large as the vessels in the foreign trade?—No, they are not so large.

12149. Are they so numerous?—No, certainly not.

12150. Are they as well navigated without a pilot as those which carry pilots?—Just as well. A small vessel will go two or three coasting voyages to London and Gravesend at one time, and at another time it will go to Dieppe, Havre, or Dunkirk.

12151. Where do the pilots meet the vessels bound inwards to Grimsby and Hull; outside or within the Grimsby harbour?—They meet them outside the harbour, in what they call the Roads.

12152. Is it necessary to have large pilot cutters to go out to meet them, or could they go out with small boats?—They could work with small boats; they could work with the tugs; there is always a tug about there, and the pilots could use the tugs as well as the cutters.

12153. I believe Grimsby is used very much as a harbour of refuge for vessels trading along the coast in that neighbourhood?—Yes, it is.

12154. *Chairman.*] Grimsby itself is not used in that way, but the Roads, inside the Spurn Point, are so used?—Yes; those vessels seeking refuge never come into the port; they only come for shelter in the Spurn Roads.

12155. Mr. *Gourley.*] Do they carry pilots?—No; a vessel coming into the harbour for refuge is exempt by the Act from pilotage.

12156. That proves that there is no danger in taking the entrance of the harbour without a pilot, does it not?—Certainly.

12157. *Chairman.*] Do many take pilots when they come in for refuge?—No, never.

12158. Mr. *Gourley.*] Do they take pilots outwards?

Mr. *H. Josse.*

15 June 1870.

wards?—In bad weather many vessels will come round the Spurn, and stop at anchor there till the weather moderates, and then they will go away; they come in without a pilot, and they go away without a pilot.

12159. When once the vessel is inside the harbour in the Grimsby Roads, is there any difficulty in navigating her into your docks?—No.

12160. I suppose a steam tug could do all the work?—Yes.

12161. If this Bill becomes law, do you think that there would still be a large amount of employment for pilots on the part of foreign vessels?—I think some masters will take pilots, but they will strike a bargain, and they will be certain to have the services well rendered.

12162. You would not consider it to be a good regulation, would you, that masters should make bargains with a pilot, and you would consider that the price should be regulated by some board?—Yes, by the local board.

12163. By what regulation is it that the merchants of Grimsby are now liable to pay the pilotage on foreign cargoes?—It is in the Humber Pilotage Act that the party who clears the vessel is liable to the pilotage.

12164. Is that in the Act of the Hull Trinity Pilotage?—Yes.

12165. Where do the Grimsby pilots locate themselves at Grimsby? — Twelve live in Grimsby.

12166. Do they go out in the large cutter-boats?—They go out in the cutters in turn one after the other.

12167. What size are the cutters?—I believe those cutters are about 100 tons.

12168. Are they always out at sea?—Yes, I suppose they are; there is always a boat at sea; there is one in the dock and one at sea.

12169. You say it is not necessary to have as many boats as they have now?—No.

12170. And that they can dispense with half of them?—Yes, they can dispense with half of them.

12171. I suppose the pilot is really of no use till the ship reaches round the Spurn and enters smooth water?—Yes; and then it is not required to come into Grimsby.

12172. *Chairman.*] Did I understand you to say that there is an agitation now in France for the abolition of compulsory pilotage?—I think it is mooted; I do not think there is any public measure as yet taken, but I know from the pilots that there is a great talk of it. The movers in France, strange to say, are the underwriters. The underwriters prefer to have the ships managed by the captains and not by the pilots.

12173. I believe there is no system in France by which a master of a steamer can get a certificate of pilotage?—No, it is a Government affair altogether. It is not a local Act, the same as you have in this country; there is a general Government Act.

12174. As I understand you, the underwriters think it of such importance that the steamers should remain under the charge of the masters that they wish for the abolition of compulsory pilotage?—The underwriters are the first movers in the matter in France.

12175. Sir *C. Wingfield.*] Then they have more confidence in the masters than they have in the body of pilots?—Yes.

12176. Mr. *Graves.*] Does not their desire arise from the wish to do away with that exemption from liability which a pilot on board brings with him?—It is the same for the owner as it is for the underwriter.

12177. Do you state that in France the underwriters are advocating a principle which allows a captain to take a pilot or not, just as he pleases?—No; I understand that the underwriters in France want to do away with the French pilotage, and not to make it compulsory.

12178. Is the reason of that wish that they think the vessel is safer without a pilot than with one?—I suppose so.

12179. *Chairman.*] That is where the master knows something of navigation? — Exactly. Because the French underwriters are very particular, and we have been able ourselves every year to reduce our premium of insurance from our vessels, doing no damage whatever.

12180. Mr. *Graves.*] If an underwriter put into his policy that a ship should not carry a pilot, would not that have the same effect?—No, the underwriter cannot interfere with the present law.

Mr. Thomas Oates, called in; and Examined.

Mr. *T. Oates.*

12181. *Chairman.*] I believe you are a shipbroker residing at Grimsby? — Yes; I am an agent for Lloyd's at Grimsby, and a shipowner, too.

12182. Are you well acquainted with the system of compulsory pilotage, as now carried on in the Humber?—Yes.

12183. Have you heard the evidence given by Mr. Josse on the subject?—Yes.

12184. Do you generally agree with him?—I do agree with him.

12185. Do you consider that the compulsory pilotage in the Humber entails a considerable burden upon the owners of small vessels?—It does. It entails burdens upon the owners of the small class of vessels, and prevents them getting to Continental ports, such as Havre, Dieppe, and Dutch ports. The freights are so low, and they cannot pay the heavy pilotage entailed in and out. Many little vessels drawing twelve feet of water, and only carrying 150 tons of cargo pay as much pilotage as another vessel carrying 400 tons of cargo, because the pilotage is levied by the foot, and not upon the tonnage of the vessel. Therefore the smaller vessels are taxed to a much greater extent, in proportion, than the larger ones.

12186. Therefore it falls very heavily upon these smaller class of vessels?—Yes.

12187. There is a great trade in small vessels from the Humber to the North of Europe and the French coast, is there not?—Yes, and now there is a large trade to Norway carrying lobsters and mackerel.

12188. And many of them are engaged in the coasting trade at other parts of the year, are they not?—Yes, they are generally employed in fishing the other part of the year. If they go across to bring fish, then that brings them under the Pilotage Act.

12189. Then they find themselves compelled to take a pilot?—Yes, either to take a pilot or pay for him.

12190. I believe there is a considerable trade

Mr. *T. Oates.*

15 June 1870.

of the same class at Goole and other ports higher up the Humber?—Yes.

12191. In small vessels?—Yes. Small vessels trade from Goole to different French and Dutch ports as well.

12192. Is what you represent generally the feeling of the shipping interest at Grimsby?—Yes. The pilotage is felt to be a great burden upon the smaller class of vessels, and there is frequent complaint about the larger vessels not being able to find pilots when they require them, particularly in the winter months; that is in consequence of the system under which the pilotage is worked.

12193. Has any evil resulted, in your experience, from the fact that owners are exempt from damage done by a vessel when under the charge of a compulsory pilot?—Yes; we have had two or three cases of the kind, in which people have had to suffer in consequence of having had a compulsory pilot on board their vessels. They have received damage, and they are unable to recover.

12194. When the small class of vessel has received damage from a larger vessel, the larger vessel being under the charge of a compulsory pilot, no damages can be recovered?—The smaller vessel has been unable to recover anything, because, as a rule, the pilots are unable to meet any charges of the kind; and if they did attempt to recover, under the present state of the law, it would be difficult to do so.

12195. It has been suggested that that evil might be met by making the owner responsible for the act of the pilot, though he is bound to take him?—It would be unjust to compel a man to take a person on board a vessel, and then to make that man responsible for any damage done by that person, because he cannot be held to be the owner's servant if the owner is compelled to take him. If the owner voluntarily takes a man on board his vessel, and gives him the command of that vessel, if that man causes damage, the owner should be held responsible, inasmuch as he has the choice of the man to whom he gives the charge of his ship.

12196. If the owner is compelled to employ him, you think he ought not to be responsible?—I think it would be unreasonable and unjust to make him so.

12197. Have you any opinion to give with regard to the management of the pilotage system on the Humber now?—The system is a very bad one. It is a monopoly. The men know that the ships are compelled to take them, and, consequently, they are very careless about rendering their services. As a rule, they render their services when it suits them. Practically, we have no control over the pilots at Grimsby. The pilots are under the board at Hull, and there is nobody at Grimsby that has any control over them.

12198. What, in your opinion, will be the effect of the abolition of compulsory pilotage, as far as the pilotage service is concerned?—As far as the pilotage service is concerned I believe that the efficient men will get more money than they do now. Their services will be frequently in demand; and, I believe they will make more money than they make now; nine-tenths of the vessels that come into Grimsby are foreign vessels, they come to Grimsby one year and go to some other port the next year.

12199. In your opinion, would those vessels continue to take pilots?—Very often they would.

12200. Would the relation of the pilot to the captain be more satisfactory then?—Certainly.

12201. And there will be a greater inducement to a pilot to look for his vessels, and to be active in the service?—Pilots will look then for the ships, instead of the ships having to look for the pilots, which they very frequently have to do now.

12202. It has been suggested that it is very doubtful whether the pilots will go out in bad weather to look for vessels; will that, in your opinion, be the case?—There is no doubt, if the pilotage was not compulsory, they would be always out at sea. There are a set of pilots at Grimsby at present who work upon the voluntary system.

12203. What pilots are those?—The pilots are licensed by the Trinity House of Hull for the purpose of piloting vessels from the sea to Lynn, Boston and Wisbeach. These ships are not obliged to take a man as pilot, but if they take anybody they must take a man licensed for the purpose. These men are constantly at sea, always looking out for vessels, and I should think it is a rare occasion that any vessel bound to those ports has not a pilot offered.

12204. Are they out in all weather?—Yes.

12205. Do they find more vessels in bad weather, than in fine weather?—Yes, they find a great many vessels. Many vessels take the man offered to them; it is the same in those places as at Grimsby. Most of the vessels frequenting these ports are either foreigners or vessels belonging to other English ports.

12206. Do you find those men very diligent in their service?—Yes.

12207. Therefore you have had experience of the two systems, both the voluntary and the compulsory system?—Yes. Many of these men fall in with vessels at sea. When they cannot get a Humber pilot they bring them to a place where they can get a Humber pilot, and when they get into Humber waters they are superseded.

12208. These men are obliged to look for their bread?—Yes.

12209. And that acts as a great inducement to them?—Yes.

12210. Do you think that the same motive will be brought to bear upon the present compulsory pilots in the Humber, if the Bill before the Committee passes into law?—Yes, these men will be at sea, and I believe the efficient men would earn more money than they do at present; at least they would get more, because they do not get what they earn now.

12211. Mr. *Gourley.*] Is the Pilotage Board at Hull a paid board, or is it a board which gives its services voluntarily?—I believe it is voluntary; I believe it is not a paid board; it is a board constituted by a private Act of Parliament.

12212. What is the cause of all the heavy expenses of management; there is a large sum deducted every year for management, is there not?—Yes, they have a large office in Hull, a collector, a commodore of pilots, and two officers who have to be paid. They have seven pilot boats, four of the boats are always in dock, and three of them only are at sea, consequently there is the cost of keeping up these seven boats, which makes

Mr. *T. Oates.*

15 June 1870.

makes the expenses large in proportion to their earnings.

12213. Is it necessary to have such an expensive control?—No.

12214. In what kind of boats do the voluntary pilots go to sea?—In little vessels of from 30 to 40 tons register.

12215. Do they buy the boats themselves?—Yes, they are their own boats.

12216. The Trinity Board has nothing to do with the boats at all?—No; the Trinity House licenses the men, and the boat has a license from the Trinity House too.

12217. What is the value of the boats?—I should think they would cost about 700 *l.* each.

12218. Are they sufficient for all their pilotage services?—Yes, and they go further out to sea than the Humber pilots. They cruise between the Humber and Flamborough Head on the north side of the Humber, to the Deeps on the south side.

12219. Where do the Humber pilots meet the ships?—Outside the Spurn; Dimlington Highland is the point to the north, and Donna Nook Beacon to the south.

12220. Where do they meet them?—They meet them there in fine weather, but when a breeze springs up, they often come into the roads before meeting a pilot.

12221. A ship can come into the Grimsby Roads as well without a pilot as with one?—A stranger cannot, but a man used to the place can; ships of 250 or 300 tons register do.

12222. Who do you think should be responsible for accident caused by negligence when in the charge of a pilot, the owner of the vessel, or the master, or the pilot?—The shipowner should certainly be responsible if the negligence is caused by his servant; but if he is to employ a compulsory servant, I do not see that he should be liable, because he has no choice.

12223. Are his own officers not compulsory, inasmuch as they have to pass an examination?—Yes; and it is his lookout to see that he gets competent men into his vessel.

12224. You think the shipowner should be responsible for acts over which he has no control?—You must put the responsibility somewhere: the man has no control, in one sense, because he is not there himself, but he has control in this manner, that he should know something about the qualification of the man to whom he commits the charge of his ship.

12225. Is he not very often deceived?—Yes.

12226. But you would not make the owner responsible for the negligence when he is deceived in the man he has employed, would you?—I cannot see how you could avoid it.

12227. *Chairman.*] You speak mainly of the pilotage into Grimsby; does the opinion you have given, hold good with regard to Hull?—They are under the same control.

12228. Do you yourself know anything of the navigation of the Humber up to Hull?—Yes.

12229. Are there any reasons for making an exception in the case of Hull?—None whatever.

12230. Is the navigation really easy up to Hull?—Yes; it is very easy navigation.

12231. And up to Goole?—No, not above Hull. The navigation from Hull to Goole and Gainsboro' is not easy, because the sands frequently shift.

12232. But there is a strong feeling in those places against compulsory pilotage, is there not?—Yes; inasmuch as only small vessels can reach those ports. There is not depth of water for the larger vessels to get there, and the expense of pilotage for small vessels is prohibitory in many places.

12233. And that in fact deters trade?—Yes it does deter trade.

12234. Mr. *C. Turner.*] I believe only small vessels go from Hull to Gainsboro'?—Yes.

12235. And I believe it requires more than one tide?—They get up sometimes with a steam tug in one tide.

12236. *Chairman.*] There has been a considerable trade in small vessels from those ports to the Continent, has there not?—Yes, there used to be.

12237. Now they feel the competition by steamers?—Yes, and the railways have something to do with it is as well.

12238. Mr. *C. Turner.*] Is there a Custom House at Gainsboro' and Goole?—Yes.

12239. The principal trade of Gainsboro' is grain, is it not?—Yes, inwards, and coal and stone outwards.

Captain JAMES JOHNSON, called in; and Examined.

Captain *J. Johnson.*

12240. *Chairman.*] You are a retired commander of a coast-guard cruiser?—Yes.

12241. And you have resided for many years past at Milford?—Yes.

12242. During a greater portion of the time you were commander of the coast guard cruiser, did you cruise in all parts of the coasts of England, Ireland, and Scotland?—Yes.

12243. And more generally on the Welsh coast and in the Bristol Channel?—Yes.

12244. Have you considered the Bill before the Committee?—Yes.

12245. Will you state to the Committee your opinion on the advisability of abolishing compulsory pilotage?—I think that compulsory pilotage ought to be a thing of the past. From the beautiful manner in which the charts are got up and the coasts buoyed and lighted there really is no such great necessity now as there was years ago for pilots.

12246. Taking those ports that you are familiar with in the Bristol Channel, is there any reason for maintaining compulsory pilotage at those places where it is maintained?—At Milford, for instance, the dangers are so very few that it can be entered at any time, night or day, with or without a pilot.

12247. Pilotage is still compulsory at Milford, I believe?—Yes.

12248. Are there any exemptions from pilotage there?—Yes, vessels putting in from stress of weather do not pay pilotage.

12249. Supposing compulsory pilotage is abolished, what is your opinion as to the extent to which pilots will be employed at the minor ports?—I think you would have a better class of men, and they would keep to sea more.

12250. There would be a greater inducement for them to go and seek their vessels, would there not?—Yes; and the good men will always be employed, particularly by foreign vessels.

12251. Therefore, in your opinion, there would

Captain *J. Johnson.*

15 June 1870.

would be a considerable employment of pilots after the Bill is passed?—Yes; I believe the same number of pilots will be employed in Milford as now.

12252. Only you think they will be a better class of men?—Yes; it would soon be seen that the good men would get employment, and the bad kind of men would have nothing to do.

12253. As it is now, feeling themselves certain of employment, there is a dead level kept up among them?—I know that shipmasters come to them; they do not go to look for the ships.

12254. What is the rule of the Admiralty as regards having a pilot?—You are allowed a pilot in and out three times going to a strange port.

12255. And after that what is the rule?—Then you are supposed to make yourself so well acquainted with the place that you are not allowed to take a pilot after the third time.

12256. Is it left to their discretion whether they will take a pilot or not?—They are not bound to take a pilot the first two or three times, but they are allowed a pilot three times if they are not acquainted with the port.

12257. Is that in the case of the Admiralty cruisers?—It is the case generally.

12258. Therefore it would follow from the same rule that masters of merchant vessels after they have been two or three times to a port should be competent to enter that port?—The charts are so plain and beautifully got up that you can scarcely make a mistake.

12259. If vessels now put into Milford or other ports from stress of weather they are not bound to take pilots?—No.

12260. Taking the case of Milford Haven, is there any reason why any system of compulsory pilotage should be maintained there?—No, I do not think so.

12261. The approaches are very easy, are they not?—The shallowest part has 18 feet of water at low water spring tides, and there is a rise of 23 feet of water there.

12262. Do you know anything of the other ports of the British Channel, particularly Swansea?—I know Swansea very well.

12263. Is there any reason why they should be exempt there from the operation of this Bill?—I do not think so.

12264. Is the port easy of access?—It is a pier harbour; at tide time you run to the pier.

12265. Comparing Swansea with Cardiff and Gloucester, is there any reason why there should be a compulsory system at Swansea and a voluntary system at Cardiff and Bristol?—No; I think the ports up above are more difficult.

12266. Therefore there is less reason for retaining the compulsory system at Swansea than there is at the other ports?—Yes.

12267. Do you know anything of the entrance to the Mersey?—Yes.

12268. Have you often been in?—Frequently.

12269. Without a pilot?—After the first time I had no pilot.

12270. You took a pilot the first time?—Yes.

12271. What sized cruiser was it?—139 tons, drawing 12 feet of water.

12272. You took a pilot the first time, and after that you frequently went in without a pilot?—The place is more plain to me than the streets of London, it is so beautifully buoyed.

12273. You have been in there very often?—Yes.

12274. And you have found no difficulty?—I have beaten in and out with a vessel.

12275. Is there any reason arising out of the difficulty of the navigation for maintaining the compulsory system of pilotage in Liverpool, supposing that it is done away with in other ports of the country?—It is not any more difficult from Point Linas than from the Tuskar up to the Skerries. If the pilots were there in thick weather, they would get employment down there more than up above; there are steam tugs all over the Channel.

12276. Mr. *Graves.*] Have you read this Bill?—I have.

12277. Are you aware that there is nothing whatever in that Bill to alter the present system of pilotage as regards the control of the local authorities?—Yes, I have read the Bill, and I understood that.

12278. The only alteration it proposes to make is that it should be optional for the shipowner to take a pilot or not?—Yes.

12279. Taking Milford Haven, where the navigation is very simple and easy, is it likely that a man would take a pilot in and out there?—Foreigners would.

12280. But only foreigners?—There are some vessels with which the masters would not run the slightest risk.

12281. But you would consider a ship as safe going into Milford Haven without a pilot as with one?—If the man has a good chart, I do not see the slightest difficulty.

12282. Then, in all such ports pilots are of no use?—No.

12283. Do you consider that a pilot at all tends to give greater security to life in such a harbour as Milford?—Certainly, for strangers it does.

12284. But only for strangers?—Yes.

12285. Supposing that the income of the pilots of Milford Haven is entirely confined to the foreigners coming in there, would not that very materially limit the income of the pilots of Milford?—It certainly would.

12286. Would you consider that a Bill which would have such an effect could be for the interests of the pilots of Milford generally?—I think that the pilots would keep to sea then, and they would get more employment than they do now.

12287. They would get more employment though only foreign vessels took them?—If they fell in with the vessels outside, they would be induced to take them.

12288. What is the proportion of foreign tonnage to the English tonnage in Milford Haven?—I do not know.

12289. Would it be half?—I dare say it would.

12290. You stated that Cardiff is more difficult of access than Swansea, do you mean from the Penarth Roads to Cardiff?—Yes.

12291. Is it not the fact that it is a mere canal cut through the mud for about two miles in length, perfectly straight?—That is the entrance to the dock.

12292. I say, from Penarth to Cardiff docks?—Penarth road is a long way from the entrance of the cut.

12293. But there is no bank of any kind intervening between the roads and the entrance to the cut?—There are shoals on the east side.

12294. I speak of between the usual anchorage and the entrance to the cut?—The anchorage is

is so limited, and the channel is so small, that there is a difficulty there.

12295. Are you aware there is a rule of the dock authorities of Cardiff that no vessel can enter the docks without a written order of the dockmaster?—No, I am not aware of that.

12296. Are you aware that no such regulation exists at Swansea, and that vessels run right in from the sea to the docks?—Yes.

12297. Are you aware of that distinction between the two ports?—Yes.

12298. Would not a pilot be more necessary in a port where there is no power of communicating as to the inability of taking him into a dock than in a port where he was only allowed to enter by a written order of the dockmaster?—At Swansea you can get into it at all times; you need not wait at all. You have a signal up to show that you are coming into one of the docks.

12299. Is not a pilot more necessary as a harbour regulation in a port where the dockmaster has no power to communicate with the vessel until she enters the river and the docks?—It is so different to Swansea, because Cardiff roadstead is a good roadstead.

12300. Mr. *Cave.*] I believe you have no port at all at Cardiff; there is nothing but a road?—There is the town of Cardiff, and the docks.

12301. But you have no port outside; there is no harbour?—No; it is an open roadstead.

12302. And except the open roadstead, there is nothing but the docks?—No.

12303. There is no harbour that you can get into except by going through the dock gate?—No.

12304. Therefore it is a totally different port to Swansea?—Yes.

12305. You can run into the Cardiff port from the open sea without going through lock gates?—The gates are open at a certain time of the tide.

12306. And only one vessel can go in at a time, I believe?—I think so; it is very narrow, I know.

12307. I think there are two or three sets of gates before you get into the port, are there not?—Yes.

12308. And there are locks?—Yes; I have not been there lately.

12309. So that you cannot say that a vessel can run from the sea into the port of Cardiff at all?—No, not from the roadstead.

12310. Therefore in arguing about pilotage, there is not the slightest resemblance between Swansea and Cardiff?—Swansea has a much easier approach than Cardiff.

12311. What do you mean by easier approach?—The Channel is so narrow to go into the docks at Cardiff.

12312. No one ever runs in from the sea into the docks at Cardiff, do they?—I do not think they are allowed; they must bring up in Penarth-roads till they have permission.

12313. To go into the docks at Cardiff, they must warp, they do not sail in, ropes are used, and they are dragged in by both sides, must they not?—Tugs take them in.

12314. But the tugs do not take them into the lock?—No; they are not allowed to tow them into the locks.

12315. Therefore a vessel cannot be said to sail into the port of Cardiff, although she does into Swansea?—Yes.

12316. Therefore, in arguing about pilotage, there is no relation at all between the two ports?—I do not think there is.

12317. Mr. *Gourley.*] Vessels cannot go into Swansea Docks any more than into the Cardiff Docks without having, in the first instance, the assistance of a tug?—You can sail right into Swansea; you are not allowed to carry sail into the dock, but you are to the entrance of the dock.

12318. Can you sail right up to the cut which leads into Cardiff?—Yes, you can if you like.

12319. Mr. *Cave.*] There is a harbour in one case, and no harbour in the other; there is a roadstead at Cardiff, and a harbour at Swansea?—Yes, a tidal harbour.

Mr. George Henry Evans, called in; and Examined.

12320. *Chairman.*] You are the Agent for the Liverpool and Bristol Channel Steam Navigation Company at Bristol?—Yes.

12321. And you have resided at Bristol for some years past, have you not?—About 24 years.

12322. Are you acquainted with the navigation of the Bristol Channel?—To a certain extent.

12323. And are you acquainted with the general shipping interest at Bristol?—As far as the coasting steamers are concerned.

12324. Previous to 1861, the ports of Gloucester and Newport were subject to the Bristol pilotage, were they not?—Yes.

12325. And Cardiff also?—Yes.

12326. And in 1861, the voluntary system of pilotage was established, as far as Gloucester, Newport and Cardiff were concerned?—Yes.

12327. Leaving Bristol with the compulsory system?—Yes.

12328. Will you state to the Committee what effect that has had upon the Bristol pilots and upon the Gloucester and Cardiff pilots?—Previously to the passing of the Act, there were 78 pilots in Bristol, and about 44 boats, and sometime after the passing of the Act, the number of pilots was, I think 60, with 40 boats.

12329. On the other hand, at Gloucester, Newport and Cardiff, a complete system of pilotage has grown up?—We had no returns before 1861 for Cardiff; but now I think there are 60 pilots at Cardiff; I am not sure of the number at Newport. In Bristol, in 1860, there were 78 pilots and 19 apprentices, and in 1869, 60 pilots and no apprentices; no return was made for Gloucester for 1860.

12330. There was no system of pilotage in Gloucester previous to 1860, and in 1869 there were 19 pilots?—Yes.

12331. And in Newport what was the number?—In Newport in 1860 we had 21 pilots, and in 1869, 28 pilots from Cardiff, we had no return in 1860, but in 1869 they had 67 pilots with 13 Bristol pilots having supplementary licenses.

12332. Then since 1860, the Bristol pilots have been gradually diminished in number, in consequence of their losing the pilotage to Gloucester and Cardiff?—Yes, to a certain extent.

12333. Have you compared the rates at present charged by the Cardiff, Newport, and Gloucester pilots, with those charged by the

Mr. *G. H. Evans.* 15 June 1870.

Bristol pilots?—Yes, I have to a certain extent. This is a comparative view of some of the rates charged by Cardiff, Newport, and Gloucester pilots, and those of Bristol: From Lundy Island to Cardiff, on 200 and under 300 tons burthen, the pilotage is 3 *l.* 15 *s.* From Lundy Island to Newport, on the same tonnage, it is 4 *l.* 6 *s.* Gloucester pilotage from Lundy Island to King's Road, is 3 *l.* From Lundy Island to Bristol, it is 7 *l.* 2 *s.* 3 *d.*, and from Ilfracombe to Bristol, 5 *l.* 7 *s.* 3 *d.*

12334. What is the general result which you draw from the change which has taken place as far as Gloucester and Cardiff is concerned, compared with that of Bristol?—On inquiry at the ports of Cardiff, Newport, and Gloucester, I learnt from the replies to the inquiries of the commissioners there, that they are perfectly satisfied with the non-compulsory system, and that the character of the pilots has been well maintained, and that there has been no lack of pilots for the vessels. The same remark applies to all three ports.

12335. In your opinion, would it be an advantage to Bristol if the same measure was applied to it as to the other ports, if compulsory pilotage was abolished, and the voluntary system established it its place? — I think it would.

12336. Will you state to the Committee, shortly, your reasons for coming to that opinion? —Comparing the results of the pilotage as applied to the non-compulsory ports, I think if the same were applied to Bristol, the result would be to the advantage of Bristol; it would free the shipping in many instances from heavy charges of pilotage. For instance, a vessel of from 200 to 300 tons, coming and taking a pilot from Lundy Roads up to Bristol, has to pay pilotage inwards, which is 7 *l.*, and that vessel going outwards to Swansea would have to pay pilotage, although in ballast, of about 5 *l.*, making altogether a pilotage charge upon that vessel of about 12 *l.*, whereas if that vessel had gone into Cardiff she might have taken a pilot or not, according to the option of the master, but she would have been free outwards in ballast.

12337. Your opinion is, that in many cases, vessels are compelled to take pilots where there is really no necessity for it?—In many cases.

12338. On the other hand, the experience of Gloucester and Cardiff shows that a considerable number of vessels would continue to take pilots as now?—I was speaking the other day to a large shipowner in Bristol, who has frequently had vessels into Cardiff, and he has never known a single instance where he had taken a vessel into Cardiff without being in charge of a pilot.

12339. Have you considered at all the effect of the clause in the Merchant Shipping Act, which relieves the owner of responsibility for the acts of the pilot when the pilotage is compulsory? —No, excepting that it acts unjustly towards the non-compulsory vessel.

12340. It has been represented to the Committee that the navigation of the Avon from the mouth of the Avon up to Bristol is peculiarly difficult; and as regards that portion of the approaches to Bristol, the compulsory pilotage should be maintained; is that your opinion?—I think that is the feeling generally in Bristol; some would have the pilotage abolished entirely; but I think there is a feeling in the majority of cases to maintain compulsory pilotage, as far as the river is concerned.

12341. Is that your opinion or not?—I should decline to give an opinion upon that point, not being engaged in the foreign trade. As far as the coasting steamers are concerned there is no difficulty in the river navigation. With the class of steamers which we have into Bristol coming up the river, there would be no difficulty.

12342. Are you now bound to take pilots?—Yes; that is, if the master or mate has not a certificate.

12343. Do the masters of most of your vessels have certificates or not?—At present we have a Bristol pilot, the master has not a certificate; we have employed the Bristol pilots for some time; the master has not a certificate for the port of Bristol, but only for the ports of Swansea and Milford.

12344. Should you continue to employ the Bristol pilots if the Bill were passed?—If the pilotage of the river was maintained, we should be obliged to employ a pilot for the river, but not for the Channel.

12345. I presume that other masters of other vessels would do the same; if the navigation of the river is difficult, they would employ a pilot specially for it?—Yes.

12346. Therefore it may be left to the owners of the vessels to exercise their discretion in the matter?—I do not think any foreign vessel coming into the Port of Bristol would come up the river without taking a pilot; I think they would all take pilots, as a rule.

12347. In the same way as they now almost always take a pilot going up to Gloucester?—Yes.

12348. Is there any reason for compelling them to do that when they would voluntarily employ a pilot without compulsion?—No.

12349. Mr. *Graves.*] What reason is there for your not taking out a license for your masters, in the Bristol river?—Some time ago the pilotage of the Bristol Channel was divided into north and south; that is, a master trading on the south side of the channel had a certificate for south side alone, and a master trading on the north side had a certificate for the north side alone, but now they are both combined; and a master taking out a certificate for the pilotage in the Bristol Channel has to take it out for both the north and the south sides.

12350. Will a pilot holding one of these licenses be entitled to pilot a vessel up and down the Bristol river?—Certainly; it extends to the Bristol river.

12351. Have your masters licenses for either the north or south side?—No, not at present.

12352. Would you continue to employ a pilot in the Bristol river, if it was in your option to take a pilot, or not, with your steamers? — No.

12353. Do you find much difficulty in your steamers navigating the river now?—No.

12354. Does that arise from the fact of the ships having pilots on board?—Not at all, I should say.

12355. Do you apprehend that there would be any more difficulty in the navigation if many of the vessels that went up and down had no pilots on board?—I do not think there would be.

12356. Your principal objection to the present system is that you have now to pay pilot dues up and down the Avon?—We have to pay, or otherwise

wise employ, pilots for four compulsory ports, Bristol, Swansea, Milford, and Liverpool.

12357. I speak now of Bristol alone; I understand that one of your principal objections to the present system is, that you are now compelled to take a pilot up and down the River Avon?—Yes.

12358. In your opinion, is that an obligation which is not necessary for the navigation of your vessels?—Yes.

12359. And you desire to be free from the charge of pilotage up and down?—Yes.

12360. I suppose you would look upon the matter just as you would look upon light dues, as a tax upon the shipping?—Yes.

12361. And you have the same wish to get freed from light dues that you now have to be free from pilotage dues; you look upon both very much in the same light as a tax upon shipping?—Yes.

12362. Mr. *Malcolm.*] I think you said that you do not consider that there is any advantage in being certain that there is a pilot who understands the river on board every vessel that comes up and down a narrow river like the Avon?—If a vessel has been in the habit of navigating that river for many years, with a crew which is very seldom changed, I do not think there is any danger whatever in her coming in without a pilot.

12363. You mean danger to your own vessel?—Yes.

12364. But does not it make it much easier for the master of your vessel to navigate her, if he is perfectly certain that the vessel he meets coming down has a competent person on board?—I do not think that it makes the least difference to him.

12365. Do you mean that, in a narrow river, it makes no difference to be certain that there is a man who can go to an inch, and run as close as possible, in order to give you as much room as possible?—If I take the general run of the navigation from year's end to year's end, I do not know of a single accident where vessels have come into collision where there has been a fair-way for the two vessels; there have been accidents when the river is crowded with shipping, but allowing two vessels a fair course, I do not think it can make any difference to the captain whether the vessel he meets has a qualified pilot on board or not.

12366. Do you think that that is the general opinion of the people of Bristol?—I do.

12367. Mr. *Cave.*] Why does not your captain take out a certificate for the port of Bristol?—That has been rather a difficulty to him; some time ago, it was a very simple matter to get a pilotage certificate; but now, through combining both sides of the Bristol Channel in one certificate, it has made it a much more complicated system, and he has rather shrank from applying for a pilotage certificate, and we have met that reluctance to a certain extent by employing a permanent Bristol pilot.

12368. I suppose the reluctance to take out a certificate may be a fear of not passing his examination?—I should think so.

12369. Then you would not have a certificate given without an examination being passed?—Certainly not.

12370. Your answer amounts to this, that your master does not take out a certificate because he has not sufficient knowledge to enable him to get into Bristol by himself?—No; because the master is perfectly competent to take his vessel in and out of the port of Bristol, but he feels a difficulty in answering many technical questions which the Board put, and he seeks to avoid that.

Mr. *G. H. Evans.*

15 June 1870.

12371. He has not found a difficulty as regards the port on the north side, where he has taken out a certificate?—No, not in Swansea or Milford.

12372. Does it not come to this, that he does know his way into one port and not into the other?—No; you may deduce that from it, but I do not think that it amounts to that; he is perfectly conversant with the navigation of the port of Bristol.

12373. Then why, if he can pass an examination for other ports, cannot he pass an examination for Bristol?—We have never pressed him on the point. There has been a reluctance on his part to encounter the difficulty of it, and we have met that reluctance on his part by putting a permanent Bristol pilot on board.

12374. We know that there are cases of good practical men who cannot pass examinations at all; but it is unusual to hear of a practical man who can pass an examination for one port which he knows, and not for another port which he knows?—I do not know as to the ports of Swansea and Milford; but I should apprehend that the examination for the ports of Swansea and Milford is not so difficult as that for the port of Bristol.

12375. I suppose it is more difficult to get into Bristol than it is to get into those ports?—Yes.

12376. Therefore it rather comes to the same thing?—Yes; as the master of a vessel, I should think that he is practically and thoroughly acquainted with the navigation of the port of Bristol.

12377. You said, I think, that you objected to the charges in and out of Bristol, as compared with Cardiff; I suppose the difference is caused by the greater length of the river navigation, is it not?—Yes, to a certain extent, it is; that is to the river navigation on the tonnage, which I gave just now; on 200 and under 300 tons, it amounts to 1 *l.* 17 *s.* 5 *d.*, and the pilotage to Kingroad amounts to five guineas; so that a vessel bound to Cardiff would have to pay much less pilotage than a vessel bound to Kingroad.

12378. But the five guineas is to Bristol, and not to Kingroad?—No, to Kingroad alone; the 1 *l.* 17 *s.* is for the river navigation beyond.

12379. In the event of the voluntary system being entirely established in the River Avon, would not there be a risk of vessels getting across occasionally, and stopping the whole trade?—In each case of the kind that I know of, there has been a pilot on board.

12380. But if accidents happen on account of the difficulty of navigation, or perhaps I ought rather to say on account of the extreme rapidity of the tide, and if the accidents take place when skilled persons are on board, would not you infer that more accidents would take place if there were not such skilled persons on board?—It is open to that inference.

12381. In a narrow channel like that, such an accident would, of course, endanger other vessels besides the one to which it happened?—It might do so; we have had very large vessels ashore in the River Avon, but I have never known of any accident to the shipping through that.

Mr. *G. H. Evans.*

15 June 1870.

12382. But have you known of instances in which the whole traffic has been stopped for several days; for instance, when the "Demerara" was across the river?—No; it was not stopped three days.

12383. How long was it stopped?—Perhaps 24 hours; I speak at random, but I am not sure of it.

12384. When you mention the change which occurred to the pilotage of the Channel in those ports which were formerly compulsory, and are now voluntary, do you know how much the general traffic has increased in those ports?—I do not; I cannot say what the increase is.

12385. If you heard that the traffic generally had increased 50 per cent., and that the earnings of the pilots had only increased 16 per cent., would not that rather change your opinion as to the evidence which you gave to the Chairman in the first instance?—The inquiries which I have made with regard to the trade of the port of Cardiff, rather go the other way, that the pilots there have been in receipt of full returns from the pilotage, and are perfectly satisfied with the result of it themselves.

12386. That is not quite the question which I put to you. Since 1861, we learn that the trade of Cardiff has increased 50 per cent. at least?—I should think that it had.

12387. But that the increase of the business of the pilots has only been 16 per cent.?—Yes.

12388. Therefore, under the voluntary system, the pilots have had less occupation than they probably would have had under the compulsory system, because, supposing the system to be the same, they ought to have increased 50 per cent.?—But, under the compulsory system in Bristol, they have fallen away in numbers.

12389. Is not that because, formerly, you included in the Bristol pilotage other parts of the Channel?—It might be so, but we have no return as to the extent to which the Bristol pilots are engaged in Cardiff.

12390. We know that almost all the pilotage of the Channel was put down under the head of Bristol?—Yes.

12391. And now that is taken off, and Bristol pilotage means Bristol proper?—Yes.

12392. And that we understand has not diminished, but has rather increased?—Yes; to a certain extent it has.

12393. Witnesses have told us that it has really increased under the compulsory system?—That is so.

12394. So that it is not the fact that the argument of the increase of Cardiff and the decrease of Bristol has anything to do with the question, that under the compulsory system, Bristol has not diminished, but that under the voluntary system Cardiff has not increased so much as you might expect it to do; is not that the result you come to from the figures?—I would rather not answer that question.

12395. *Chairman.*] I think you lost a steamer yourself sometime ago in a fog?—Yes.

12396. And you were compelled in consequence to charter another steamer to run between Bristol and Liverpool, calling at Milford and Swansea?—Yes.

12397. Then the certificate of the master of the lost vessel would not apply to the chartered vessel, would it, although you put that master in command of her?—No, he was not in command of that vessel.

12398. The chartered vessel became liable to compulsory pilotage at Liverpool, Milford, Swansea, and Bristol?—Yes.

12399. What steps did you take in consequence of that?—We had to employ a Bristol pilot, and a pilot at Milford, and we had to pay the pilotage at Swansea and Liverpool.

12400. What altogether was the charge that you had to bear?—We had to pay 2 *l.* 5 *s.* per week for the Bristol pilot, and 1 *l.* 15 *s.* for the Milford pilot, that is about 4 *l.*; and we had to pay the pilotage at Swansea and Liverpool in addition.

12401. And if the pilotage had been voluntary at all these ports you would have been free of that charge?—Yes.

12402. So that you had the four charges suddenly thrown upon you in consequence of your having to charter this vessel?—Yes.

12403. You have been asked by the right honourable Member for Shoreham as to the relative increase of the pilotage at Cardiff as compared with Bristol; have you had any complaints of the loss of vessels due to the non-employment of pilots by the trade in Cardiff?—No, I have not.

12404. Have you any reason to believe that property or life has been in danger by the pilotage being voluntary there?—No, I have heard of nothing of the kind.

12405. No such suggestion has been made?—Not that I have heard of.

12406. Or in the case of Gloucester either?—No.

12407. Generally the change from the compulsory to the voluntary system has not been brought to those ports by any evils which have been suggested as likely to arise in the event of compulsory pilotage being abolished?—No, I have heard of nothing. I had a letter from a commissioner at Gloucester some time ago expressing his satisfaction with the working of the non-compulsory system that had been established.

12408. It has not been suggested that vessels enter those ports in charge of masters who are not acquainted with the navigation where they ought to take pilots?—No, I have not heard any such suggestion.

12409. It has not been suggested that they come to the port without pilots where, in consequence of the ignorance of their masters, they ought to take pilots, or that vessels have been lost in consequence?—No.

12410. And you think that the same measure may be dealt out to Bristol without any danger?—I should think so.

12411. Then, as regards the River Avon, should you consider that that comes within the general term of a sea pilotage authority?—That would be a river pilotage.

12412. Being the river itself, it is subject to harbour regulations?—I should say that it would come, properly speaking, under the regulation of the havenmaster of the port.

12413. And therefore it ought to be under a different system altogether, and not under a system of pilotage?—No.

12114. But, rather under the direction of a havenmaster, so as to prevent vessels from blocking up the river?—Yes.

12415. Can that, in your opinion, be carried out without a compulsory system of pilotage at all?—I should think so, because the havenmaster

master would have perfect authority over that distance of the navigation, and he could enforce it.

12416. He might have agents at different places, in order to compel pilots to take up their proper positions?—Yes, very simple regulations could enforce that.

12417. Then it is not a matter for compulsory pilotage at all?—No, not at all as regards the river; the whole distance of the river would not be more than about 12 or 14 miles, I think.

12418. As regards the navigation from Lundy Island up to the entrance to the river, what is the general opinion of Bristol, is it in favour of abolishing compulsory pilotage, or not?—I think they would be, as far as I have heard, willing to allow that to go, so long as the pilotage of the river was maintained.

Mr. *G. H. Evans.*

15 June 1870.

12419. But you are of opinion that the river pilotage is a matter of harbour regulation, rather than pilotage?—Yes.

12420. Mr. *Cave.*] Does a vessel take more than one tide to get from Kingroad to Bristol?—No.

12421. Never?—No.

12422. Do you know the port of Gloucester?—No, I do not.

12423. You do not know whether vessels go straight up to the town of Gloucester without pilots?—I should think it would be a very little vessel indeed that would venture up to Gloucester without a pilot; they go up to Sharpness, and are then towed up the canal.

Mr. William Wood, called in; and Examined.

12424. Sir *Charles Wingfield.*] You are a free waterman, or unlicensed pilot?—Yes.

12425. You served seven years' apprenticeship in navigating vessels in the Thames?—Yes.

12426. And you obtained your freedom of the Waterman's Company in 1841?—Yes.

12427. And you have been since engaged in the pilotage of vessels above Gravesend?—Yes, of vessels exempt from compulsory pilotage.

12428. In the same way that Hinton has?—Yes.

12429. You have testimonials as to your character and skill as a pilot, have you not?—Yes.

12430. You do not consider yourself incapacitated by age, do you?—No.

12431. But, according to the Trinity House regulations, you are not eligible for a license because you are over 35 years of age, and have not served at sea?—That is so.

12432. Do you agree with Hinton, that there are some 300 or 400 men in a similar position to yourself?—Yes.

12433. You have your regular ships which you are engaged to pilot?—Yes.

12434. What are your average earnings?—I do not earn so much now as I did in former years; the ships have gone away out of the coal trade into the Baltic trade, and we do not get so much work.

12435. What were your earnings last year?—Not over 150 *l.*

12436. If a Trinity House pilot offers himself on board a vessel in your charge, does the master keep you as well as him?—I have not been superseded on a coaster; vessels from Lisbon employ me as well as the Trinity House pilot.

12437. When a vessel liable to compulsory pilotage is boarded by a Trinity House pilot, the master must employ the Trinity House pilot, but if you were on board would he keep you as well?—Yes, the vessels I work for.

12438. *Chairman.*] And would they pay you as well as the other man?—Yes.

12439. And if you refused to make the ship over to the Trinity House pilot, the master would have to pay, on a complaint, double pilotage; but by retaining you, and taking the Trinity House pilot, he pays simply the Trinity House pilot's fee, and your fee?—Yes.

12440. But usually you pilot without a Trinity House pilot, and have the charge of the ship?—Yes.

12441. But the Trinity House pilot has power to supersede you in every vessel?—Yes.

12442. The Merchant Shipping Act of 1854, expressly authorises an unqualified pilot to take charge of a ship when no qualified pilot has offered himself?—Yes.

Mr. *W. Wood.*

12443. And also for the purpose of changing moorings?—Yes.

12444. So that the effect of that Act of Parliament, coupled with the increase of trade, and the effect of the restriction by the Trinity House, of the number of licensed pilots, has been to make your class the only pilots who pilot the coasters, and the other kind of vessels to which you devote yourself?—Yes.

12445. The Trinity House pilots being engaged on other ships, what proportion of the vessels are piloted by the free watermen pilots, as compared with the Trinity House pilots between London and Gravesend?—More than three times the number.

12446. More than three times the number are piloted by the free watermen?—Yes.

12447. The reason of that is that the licensed pilots confine themselves to the best class of ships, and the best paying class of ships, which are steamers?—Yes.

12448. Which have the most accidents, the Trinity House pilots or the free watermen pilots?—I can scarcely say; there is much about a muchness there.

12449. Is it the case that the Trinity House pilots will go in with ships after dark?—There is a certain class of Trinity House pilots protected by the Trinity House now, who, directly they come to Gravesend, can put the anchors down if they please; but there is a certain class of pilots who pilot the home-trade passenger ships up after dark.

12450. And you go after dark?—Yes.

12451. Is there any river or harbour regulation preventing vessels going after dark?—No.

12452. But on a dark night, a ship does not go, does she?—Yes, if it is possible at all to go up she does.

12453. Patterson, the Trinity House pilot, who was examined before this Committee, said, that he could not give a single instance of a collision in the river, where each ship had a Trinity House pilot on board?—It is a very bad job that Mr. Patterson had a shallow memory.

12454. Can you give an instance?—Yes, several, but I cannot recall the dates.

12455. Was Mr. Norwood's ship, the "Volga," run into by the "Mary," when off Erith?—Yes, and

Mr. *W. Wood.*

15 June 1870.

and there was one Trinity House pilot on board each ship.

12456. And the ship "Cusack," ran into the "Dreadnought" Hospital Ship, off Gravesend?—I cannot speak as to that.

12457. *Chairman.*] You have no legal position at present, and the licensed pilots have a full right to supersede you; is not that so?—Yes.

12458. But by custom they have left to you a certain number of vessels?—Yes; I am the fourth generation of my parents who have been in the same occupation as myself, and not one had a Trinity House license.

12459. And you have always had considerable employment?—Yes; I have had five apprentices during my time, and my son took his freedom up a month ago, and paid 3 *l.* 12*s.* 6 *d.* I have still another apprentice in my son, who has served over five years of his time; he is constantly in the boat.

12460. What is the class of vessels that you are mostly employed upon?—Coasters and colliers.

12461. Coasting steamers?—Yes; and ships from the Baltic, occasionally.

12462. Those that are free from compulsory pilotage?—Yes; but we are superseded by licensed pilots. If we are on board a ship from the Baltic, they come and take the ship from us.

12463. The Baltic ships are subject to compulsory pilotage?—No, they are not.

12464. But if they are passenger vessels they are?—Yes.

12465. Sir *C. Wingfield.*] Those are the men who were licensed by the Order in Council of 1864 for the home-trade passenger ships?—Yes; but it does not touch them in the Baltic.

12466. *Chairman.*] What is your idea of the Bill before the Committee?—We want to be allowed to have what our forefathers had before us, the coasters, colliers, and ships from the Baltic; that is all we pray for. We do not wish to be superseded by the Trinity House pilots.

12467. But you have not that privilege by law now?—No.

12468. How will you be worse off after the Bill passes than you are now; I want to understand your case; you have no legal position?—No.

12469. The licensed pilots are entitled to supersede you at any moment, if they think fit, are they not?—Yes; but when they are slack of work, if one of our vessels comes up, they supersede us, and turn us out of the ship when it suits them.

12470. They prey upon you when they have nobody else to prey upon?—Yes.

12471. And you think they will prey upon you rather oftener if the Bill is passed than they do now?—Yes.

12472. Mr. *Cave.*] You are not a certificated waterman, are you?—No, not by the Trinity House

12473. They are the persons who take the home-trade passenger ships?—Yes.

12474. When you were asked about the accidents of the "Cusack" and the "Volga," I suppose from those being put down as accidents, they are the only ones that have taken place?—There are several others.

12475. You do not remember any instance yourself?—We never keep any record of these things.

12476. Having no legal position now, and being looked upon as piratical craft, you want to be changed into pilots?—We should like some protection aboard the ships.

12477. I do not see why the Trinity House pilots should interfere with you more when the Bill is passed than they do now?—But we are only afraid of that when they are slack of work.

12478. They can do that now just as well, cannot they?—Yes.

12479. Therefore it practically makes no difference in your position?—No.

12480. Sir *C. Wingfield.*] Are you not afraid that you and Hinton, and others who have taken an active part in urging your claims before the Committee, will be subject to persecution?—Yes.

12481. They cannot deprive you of work, but they will make a dead set at you and some of the leaders, and hunt you out of the vessels?—Yes.

12482. *Chairman.*] Do you find, as a rule now, when the licensed pilots are slack of work, that they they come down upon your vessels and take the work from you?—There has never been an instance where I have been superseded out of a coasting vessel.

12483. But there have been cases in the Baltic trade?—Yes.

12484. When they find that you are employed in piloting these vessels, they come down and supersede you?—Yes; if a captain writes to me to look out for his ship at Gravesend, and I take the trouble to go on board, if a licensed pilot comes on board, the captain has to employ both of us, or I must leave.

12485. If the licensed pilot does not supersede you at Gravesend, the master of the vessel would have to pay double pilotage?—Yes.

12486. Your trade is mainly from Gravesend up to the docks, is it not?—Yes.

12487. If the employment of licensed pilots does not fall off, there will be no greater inducement for them to supersede you after this Bill is passed than there is now?—I do not know that they will do so.

12488. Supposing their trade does not fall off, and they are employed as much after this Bill is passed, as they are now, then there will be no greater inducement to those men to supersede you after this Bill is passed than there is now?—No.

12489. Is it not the case that every vessel coming up from the docks to Gravesend must take a pilot of some kind?—There are very few instances in which they do not.

12490. They all do?—They all do take assistance, either the one or the other.

12491. So that there will be always the same opportunity for a licensed pilot getting employment as now?—I think plenty.

12492. And unless their numbers are increased there will be no more reason for you to expect that a licensed pilot will take the trade away from you than there is now?—No; it is only at a time when they are slack of work, and it suits them to supersede us, that they do so.

12493. Supposing their employment falls off, and they have to fall back upon your vessels and supersede you, would not a small reduction of the numbers of the licensed men meet the case?—Yes.

12494. Until the Bill has been in operation some little time, you can hardly tell what ought to be done?—No.

12495. After the Bill has been in operation some

some little time, if it turns out that these men are forced to get employment by superseding you, then it will be necessary, somewhat, to to reduce their numbers, will not it ?—Yes.

12496. And you think that that will meet all you want ?—Yes.

12497. Sir *C. Wingfield.*] But still you are afraid of being persecuted?—Yes; it may be just as it suits them.

12498. Mr. *Graves.*] What is your qualification for piloting a vessel up and down?—I act as a free waterman of the River Thames.

12499. Do you consider that any one is entitled to come and ask a captain to take him as a pilot up and down the Thames?—We offer our services aboard a coasting ship, which is the trade which forms our principal employment, and the captain can refuse or employ us.

12500. Is there any class but the free watermen whoever attempt to pilot vessels up and down?—No.

12501. Can any man ply on the Thames for hire unless he is a free waterman?—No.

12502. Would you propose that this power to pilot a vessel should be extended to any man, wherever he comes from, if the captain wished to take him?—If he is competent to take charge of the ship.

12503. Whether he is a free waterman or not? —Yes.

12504. You do not think that it ought to be confined to men who are free watermen, do you? —I do not say exactly free watermen; if a man is qualified to take charge of a ship he would get employment.

12505. Do you consider that the power to pilot a vessel up and down the Thames should be confined to men who are free watermen?---Do not confine it entirely to them; if you can get a man competent to take charge of a ship, let him have the privilege.

12506. Whether he is a free waterman or not? —Yes.

12507. Do you pass any examination?—No.

12508. How many free watermen are there altogether?—I cannot say exactly; perhaps there are over 9,000.

12509. Can any one of those men pilot a vessel? —No.

12510. How is it that the men are selected for the piloting?—By serving their time under men in practical navigation.

12511. What do you call practical navigation? —With his master, the same as my son served with me, a contract of seven years.

12512. Do you mean seven years in the work of ferrying about the Thames, or taking vessels up and down?—Not ferrying, but being employed in ships night and day.

12513. Do you mean going up and down the Thames, or merely in the docks?—Up and down the Thames, in and out of the docks, and all parts of the river.

12514. Would there be any objection to an examination of some kind being passed by every one of your class?—I should think not; I should have no objection myself.

12515. Would not you recommend that there should be some examination, so that a man should show that he is qualified ?—Yes.

12516. *Chairman.*] As I understand, any one of these 9,000 watermen in the Thames has as much right as you have to navigate a vessel if they can get people to employ them?—Yes, we all work under one license.

12517. But the shipowners do not employ any except those of whom they have some knowledge? —Yes.

12518. Therefore it is practically free trade between the 9,000 men?—Yes.

12519. Has not a Bill been passed by another Committee which has thrown open the navigation of the Thames?—I do not know how far it goes.

12520. Is it not the fact that the navigation of the Thames is thrown open to everybody who can pass a very easy examination?—I have heard of that.

12521. The system of apprenticeship will no longer be the sole mode of men obtaining their freedom of the river, so that after the Bill has become law, anybody who passes a certain examination will be competent to exercise whatever right you have?—Yes.

12522. Mr. *Graves.*] What regulates the number of free watermen that are admitted to pilot vessels?—There is no particular number.

12523. Are you confined as to the number of apprentices that you can take?—We were. In former years we could only take two apprentices in the seven years. After the first apprentice had served four years of his time, we could take another. Now, of late years we can take as many apprentices as we think proper, on account of most lightermen having men to work their craft.

12524. A large portion of this experience which fits you to pilot vessels is obtained on board the lighters, is it not?—The greater portion of the Thames watermen work on the lighterage of the river.

12525. You say that a large proportion of the time is spent in lightering; do you consider that that is an experience of a sufficiently satisfactory character to warrant a man taking the charge of a square rigged vessel in the Thames?—Certainly not. A man who has navigated a lighter would not have had sufficient practice for him to manœuvre a ship.

12526. Have any of your craft applied to the Trinity House for a license?—It would be useless unless we had gone 12 months to sea, to be a candidate for the Trinity House license.

12527. None of your men have been to sea for 12 months, and applied for a license?—None. Some of them have been over age, over 35, and they have been rejected on that account.

12528. Your charges are much less than the regular pilotage, are they not?—Yes.

12529. How much less?—More than half.

12530. I suppose that is one reason why you are such great favourites with the captains?—I do not know that.

12531. Supposing that the whole of the Thames is thrown open, and you have power to go up and down as well, what is to become of the licensed men charging double what you do?—They would have the same pilotage as they have got now, for the ships that now employ them will still employ them. There is not a foreigner who comes into the river from the North Sea who is exempt from compulsory pilotage but that takes a licensed pilot.

12532. Supposing you offered a foreigner to take him down for half what the licensed pilots do, which would he employ?—I cannot answer that.

Mr. *W. Wood.*

15 June 1870.

12533. *Chairman.*] How do you maintain your charge, with regard to yourself and other unlicensed men?—The owners and the captains of the ships regulate our charges.

12534. Sir *C. Wingfield.*] But, practically, your charges do not vary. You never take more than 2 *l.* for the biggest ship, do you?—No.

12535. *Chairman.*] How many men are there who, like you, make an employment out of this?—In the navigation of steamers about 25.

12536. And how many in navigating coasters?—Over 300; the men have to go a long way down after coasters.

12537. How much, on the average, do they make a year?—I cannot form an idea, sometimes it is better than others; it depends upon the influx of the shipping.

12538. And at other times of the year they are employed in other things, I suppose?—Yes.

12539. And it is a very changeable kind of occupation?—Yes.

12540. Sir *C. Wingfield.*] A great majority do not make more than 50 *l.* a year, do they?—No.

12541. *Chairman.*] The number of men who make over 100 *l.* a year, is small, is not it?—Yes.

12542. What number should you say?—I should say there are about 50 altogether, making over 100 *l.* a year.

12543. And do they really employ themselves in nothing else?—Yes.

12544. The others I suppose are ready to take a job of any kind?—Yes.

Mr. Charles Joseph Luton, called in; and Examined.

Mr. *C. T. Luton.*

12545. *Chairman.*] You are a waterman pilot for the home-trade passenger vessels?—Yes.

12546. That calling was practcally created by an Order in Council of the 1st of May 1855?—Yes.

12547. That was in consequence of the home-trade passenger vessels being compelled by the Merchant Shipping Act of 1854, to take pilots?—Yes; it was on account of several accidents that occurred, that Sir Robert Peel brought it forward.

12548. Those vessels had been previously in the habit of taking you and other men as pilots, had they not?—Our ancestors.

12549. In consequence of that, you, and a certain number of others, were licensed as pilots, specially for the home passenger vessels?—Yes.

12550. I believe you are paid a pilotage rate fixed by the Trinity House?—Yes.

12551. And you are not entitled to pilot any other vessels?—No.

12552. But you have the exclusive right of piloting those vessels?—Yes; we have the exclusive right to pilot the home trade passenger steamships.

12553. Are your numbers kept up?—Yes.

12554. Then your work is in respect of vessels that are compelled to carry pilots?—Yes.

12555. But you have no right at present to pilot any other vessels?—Not according to the Act.

12556. What is your complaint of the Bill now before the Committee?—According to the present formation of the Merchant Shipping Code, you find in clause 468, that it sweeps us away entirely, if the home trade is done away with, therefore we are no more pilots.

12557. You refer to the Merchant Shipping Code, and not to the Bill before the Committee?—Not exactly the Bill itself, it is the two together; because we are under the jurisdiction of the Trinity House and also the Board of Trade.

12558. I do not know that we can go now into the question of the Merchant Shipping Code; therefore you will please confine yourself to the operation of the Bill now before the Committee, which relieves vessels from the necessity of taking pilots; what would be the operation of that upon you?—The operation of the Bill at present, excludes us, because this is compulsory pilotage, and the home trade is entirely done away with in the Merchant Shipping Code, which followed this Bill, we are left outside.

12559. You are referring to the Merchant Shipping Code?—Yes.

12560. In what respect does that hurt you?—There would be two classes of traders, the coasters and foreign.

12561. At present, the home passenger vessels include a number of vessels that go to the continent?—Yes.

12562. Under the new Bill it is proposed to have two distinctions only, namely, coasters and foreign trade, and, therefore, you think that the Bill will exclude you from the pilotage of a certain number of vessels that go to the continent?—It will take our continental trade away altogether.

12563. How much of your employment comes from vessels of that kind?—The greatest part of it.

12564. You would wish, as far as those vessels are concerned, still to retain the exclusive right of pilotage you now have?—Yes.

12565. Have the ordinary licensed pilots the right to supersede you?—They can supersede us on board any other vessel except the home-trade passenger steamships.

12566. They cannot supersede you on board the home-trade passenger steamships?—No; on any other vessel they can.

12567. You wish that that exclusive right, which you now have in respect of these vessels, should be maintained?—Yes.

12568. Then, in fact, it is the indirect effect of the operation of the clause in the Merchant Shipping Code, which abolishes the distinction between the home trade vessels and foreign vessels, and makes the distinction for the future coasters and foreign, which you object to?—Yes, that is all.

12569. It is the indirect effect of that that you complain of?—Yes, it is apparently very direct, because it says the home trade is done away with entirely.

12570. The home trade is not done away with, but instead of the home trade, including a certain number of vessels that go to the continent, for the future it is only to include coasters?—It includes the Isles of Jersey, Guernsey, Alderney, and Sark.

12571. Now will you confine your attention to the object of the Bill before the Committee, which abolishes compulsory pilotage, and state how it will affect you?—As far as the Bill stands in its present form, it does not affect us if you give us our

our own rights and let us remain as we are now.

12572. I believe you were all employed by these steamers, before the Act of 1855?—Yes, we were all employed.

12573. The only effect of the Act of 1855 was to compel these vessels to employ men they had been in the habit of employing before?—Yes; but there is another privilege now given to the Trinity House to pass masters, so that every year as younger men go up it takes our trade away though our staff is supposed to be kept up.

12574. In consequence of the examination of the masters of these vessels, and giving them pilotage certificates, there is a gradual falling off of your employment?—Yes, and there is no doubt that if the Bill passes in its present form, the owners will take advantage in small coasting vessels, both continental and coasters, of passing their masters, and piloting the ships themselves, and that will take a great deal of our work away.

12575. As I understand, your position was this: you were all of you practically employed before 1855 by these steamers?—Yes.

12576. And when that Act was passed compelling them to employ pilots, you came before the House of Commons or the Government and asked them to reserve your rights, as it were, and compel these vessels to employ you as they had been in the habit of doing?—Yes.

12577. And now when the compulsion is going to be taken off, you say that your rights ought to be reserved again?—Yes; the Order in Council was made in 1854 to compel all those vessels to take pilots, and the 22 or 24 men that were then living, of course some of them are since dead, made an application to be passed, and they passed an examination under the Trinity Board. As one has died off an apprentice has come to fill his place; he pays three guineas a year, and accounts for all his earnings before the Trinity Board, and pays income tax accordingly.

12578. I do not at present see why your employment is likely to fall off, because, before 1854, you were employed by these vessels, and the effect of the Act of 1854 was to compel them to employ you, and you got that clause inserted upon your behalf, on the ground that those vessels were in the habit of employing you; what reason is there to believe that if this Bill now before the Committee is passed, those vessels will cease to employ you?—If the Bill and the Merchant Shipping Code passes, we are no longer pilots.

12579. I do not talk of the Merchant Shipping Code, I talk of the Bill for the abolition of compulsory pilotage?—That in itself does not affect us at present.

12580. What do you mean by saying that it does not affect you at present?—It does not affect us till the Merchant Shipping Code follows.

12581. I want you now to confine your attention to the Bill for the abolition of compulsory pilotage, and get rid of any ideas you have of the Merchant Shipping Code; supposing the Merchant Shipping Code is altered, as you wish, what will be the effect of the Bill for the abolition of compulsory pilotage upon you?—I think that no man should be allowed to take charge of a vessel without having undergone a thorough examination.

12582. Mr. *Stevenson.*] Is it the case that the Trinity House pilots sometimes take free watermen on board in order to assist them in taking vessels up and down the river?—Yes; to steer the ship.

12583. And to help them in the pilotage work?—Yes.

12584. And they pay them out of the pilotage earnings, do they not?—I do not know that; I never did it myself; I am satisfied that none of our body ever did.

12585. Mr. *Gourley.*] Who pays the watermen when they are on board a ship with licensed pilots; are they paid by the captains or the owner?—The owner.

12586. Why do these ship captains take them?—Simply because it is necessary, sometimes, to have a waterman assisting vessels coming from long voyages, for the sailors are knocking about the decks, and they do not care whether they steer into anything or not.

12587. Are not watermen taken for navigating the ships from London to Gravesend, and Gravesend to London?—Not to my knowledge.

12588. Do you know Mr. Hinton?—Yes.

12589. Is he not employed for the purpose of navigating vessels when pilots are on board, from London to Gravesend, and Gravesend to London?—He is engaged in navigating vessels, and he is a free waterman.

12590. He is employed to do something more than steer?—He is employed to do something more than steer; there are a certain class of men that are passed throughout, and they get the preference of taking the ships down, and the captain allows Hinton to take the ship from London to Gravesend, and he gets his money, and then they take a pilot from Gravesend.

12591. Are many of the other free watermen employed who are in a like capacity as that of Mr. Hinton?—A few, not many.

12592. If the present Bill should become law, how would it affect those men; would it not have a tendency to prevent them navigating as they now do?—I think so.

12593. You think that the licensed pilots will supersede them?—They will take advantage of them.

12594. You consider that to be wrong towards those men, do you not?—I do not know that it is wrong towards them; I think if a man goes to sea, and goes through the examination, and gets himself prepared for this sort of thing, he ought to enjoy it.

12595. Are you a sailor?—I have been from call-boy upwards in steamers.

12596. Then you are something more than a waterman?—Only in the coasting trade.

12597. Is that the reason why you consider that sailors should have the preference over men who are merely watermen?—I think that a man ought to be properly trained for it.

12598. Do not you think there ought to be a clause in the Bill to meet the case of the watermen who are properly qualified to navigate ships between London and Gravesend?—No, I do not see it myself.

12599. Mr. *Cave.*] I believe that at present the home-trade passenger steamers, unless they carry a master or mate with a certificate, are obliged to take a pilot, are they not?—Yes.

12600. When this Bill passes they will no longer be obliged to take pilots?—No.

12601. Will many of them take pilots?—I think very few of them will take pilots.

12602. In that respect you think that, if this

Mr. *C. T. Luton.*

15 June 1870.

Bill passes, your position will be made worse?—Yes.

12603. In case a regular Trinity pilot is taken on a home-trade passenger steamer can you supersede him?—No, in no case.

12604. If you are first in the field, and get on board one of the home-trade passenger ships, they cannot supersede you?—No.

12605. But with regard to other vessels they can supersede you?—With regard to anything else they can.

12606. As a matter of fact, do you often take your chance of being superseded on board other vessels?—I have been superseded on board Baltic steamers.

12607. Is it the custom of the certificated watermen pilots to offer their services to vessels in which they can be superseded by the Trinity pilots?—We often do.

12608. Then it is a matter of accident whether you are superseded by them or not?—If there is plenty of work they will not come near us.

12609. It is a matter of accident?—Yes.

12610. Then you do interfere with them on board these other vessels supposing the work becomes more slack?—I should only interfere in those ships that I was engaged by.

12611. You have told us already that they can supersede you on board all vessels except home-trade passenger ships?—Sometimes.

12612. And the only reason why they do not supersede you is that they have enough to do elsewhere?—Yes.

12613. Supposing their employment was curtailed by the provisions of this Bill, they would be more likely to supersede you than now?—Yes; they would then claim our continental trade that went foreign; that would go from us entirely.

12614. If you are on board a home-trade passenger ship, and an accident happens, you are liable for damages, are you not?—Yes.

12615. Supposing you are on board one of these other vessels on which you could be superseded, would you be liable for the damage?—No; any vessels that are exempt from taking pilots are not liable.

12616. I am speaking of a vessel on which you can be superseded by a Trinity House pilot?—We can be superseded on board any vessel except the home-trade passenger ships.

12617. But supposing you are on board one of the vessels which are not exempt from compulsory pilotage?—I never go on board any except of our own vessels.

12618. You do not interfere with those under the compulsory system?—No.

12619. Then those vessels in which you are liable to be superseded are those that are exempt from pilotage altogether, if they choose?—Yes.

12620. And on board those vessels you are not liable for any damage?—No.

12621. The owner is liable, is he not?—Yes.

12622. Whether a certificated waterman or a Trinity pilot is on board, it makes no difference, the owner is liable?—Yes.

12623. Have you had many accidents in the case of the home-trade passenger steamers?—No.

12624. Have there been any accidents?—There have been a few in my time.

12625. Who has practically paid the damage in those cases?—Sometimes the owner, and sometimes, perhaps, it might not have been paid at all, or the underwriter paid it.

12626. Whether the owners or the underwriters pay it is the same thing?—Yes, generally speaking they are insured.

12627. What is the reason that, in some cases, the owners pay, and in other cases it is left to the pilots to pay if they can?—That is where the owners try to get out of paying the damage by putting it upon the pilot's shoulders.

12628. If the damage is very heavy they say that the pilot must pay?—Yes, they put it upon his shoulders because they know that he is liable for 100*l.*

12629. Supposing the damage is very heavy, it is put upon the pilot's shoulders; but if the damage is very light, the owners pay?—Yes, sooner than have any litigation over the matter, they pay.

12630. You said that your men return their earnings to the Trinity House, and pay the income tax?—Yes.

12631. To whom do they make the return?—To the Trinity House.

12632. Is it deducted from your earnings?—No, I take my own money, I send in a return of my earnings every month, and they tax me upon it.

12633. Then they deduct it?—No; I have to pay it to the Trinity House as a tax.

12634. And it is paid to the Government through the Trinity House?—Yes; I pay that independently of my three guineas.

12635. The three guineas is simply for your license?—Yes.

12636. Besides that you pay your income tax to the Trinity House, which they afterwards pay to the Government?—Yes.

12637. Sir *C. Wingfield.*] You were a free waterman before you got your certificate, were you not?—Yes.

12638. A freeman of the Waterman's Company?—Yes.

12639. When you were a free waterman, were you employed by Mr. Cooper?—I was not employed by him; I have been with him.

12640. The owners of the vessels employed you as a free waterman, along with Mr. Cooper the Trinity House pilot?—I was employed as a waterman in the same vessel as Mr. Cooper, when I was doing Messrs. Pearsons' work, of Hull.

12641. You were employed to pilot their vessels?—I used to pilot all their non-compulsory ships.

12642. Along with Mr. Cooper?—No, I used to take them alone, without him.

12643. And sometimes with him?—Yes.

12644. Are there not one or two of your class who hold certificates from the Board of Trade to pilot steam passenger vessels, and who do not use their certificates, but work on the non-compulsory vessels, like Mr. Hinton does?—Not to my knowledge.

12645. He does not go on board the home passenger ships, which his certificate entitles him to do, but he goes up as Mr. Hinton does, with the Baltic vessels, the non-compulsory and others?—Only the collier screws.

12646. Mr. Raine is one of that sort?—But he goes with passenger ships sometimes.

12647. He sometimes uses his certificate, and sometimes he does not use it?—Yes.

12648. *Chairman.*] What proportion of your employment comes from vessels other than the home

home passenger steamers?—Not above one-fifth of it.

12649. Mr. *Graves.*] Does your license confine you altogether to home-trade passenger vessels?—Yes.

12650. *Chairman.*] Can you supersede a licensed pilot on one of those steamers?—No.

12651. And a licensed pilot cannot supersede you?—No.

12652. When you say that one-fifth of your employment is in respect of home vessels, do you mean generally?—Vessels that have not passengers on board.

12653. Do you speak generally of these 22 pilots, or only of yourself?—I speak of myself; some do not get any money from non-compulsory ships.

12654. Some get a great deal more?—None get more than one-fifth.

12655. Mr. *Graves.*] Can a licensed pilot take one of the home-trade passenger ships down the Thames?—Yes, if he is employed by the owner.

12656. But you are not free to take any other vessel, except a home-trade passenger ship down the river?—No.

12657. Then you form another group of pilots on the Thames?—Yes, we are 22 in number.

12658. What examination did you pass when you got this license?—The same as the other pilots before the Trinity Board.

12659. Do you consider that the examination you pass before the Trinity Board would enable you to take out a license for the entire navigation of the Thames?—Yes.

12660. What is to prevent you applying at any time, if this privilege is done away with, for a license to take vessels down to Dungeness?—They will not grant it us, because we have not been masters of vessels for 12 months.

12661. Sir *C. Wingfield.*] And because most of you would be over age?—Yes.

12662. Mr. *Graves.*] Have you a system of apprenticeship amongst your pilots?—Yes; I have an apprentice now myself; nearly all of us have our apprentices.

12663. They have joined under the belief that it would remain obligatory upon the home-trade passenger ships to take pilots?—Yes.

12664. Mr. *Gourley.*] Whom do you consider the best pilots on the Thames; the regular pilots, or men like yourself, or the free watermen?—That is hard to say; I think I know as well as anybody; I know that all our body have the worst work to do; we sail day or night, summer and winter.

12665. The watermen have all the navigation to do in the Thames, have they not?—No.

12666. But a great part of it?—They do a portion of it.

12667. Sir *C. Wingfield.*] I believe you said that you have night work?—Yes.

12668. Do not the Trinity House pilots do night work as well?—Yes; but they are not bound to go as we are.

12669. Why are you bound to go more them them?—We are bound to one class of vessels, and if we do not go, many more people will go. They bind us with the word "No," in the license, "Home-trade passengers ships, and no others."

12670. Mr. *Graves.*] Is your tariff the same as the watermen generally?—It varies from 1 *l.* to 3 *l.*

12671. *Chairman.*] That is much less than a licensed pilot charges?—Yes; because our vessels do not draw as much water. Most of our work is contract work.

12672. Mr. *Graves.*] I suppose, as a rule, your charges are lower than the other pilots?—Yes.

12673. Sir *C. Wingfield.*] But they are not so low as the free watermen; they never charge more than 2 *l.* for the biggest ships; your charge is 2 *l.* for a big ship, is it not?—Sometimes a little ship will pay that.

12674. *Chairman.*] As I understand, the licensed pilots, as a rule, do offer their services to these vessels and compel these vessels to employ them?—They never trouble the home-trade passenger vessels.

12675. But they have the right to do so?—If we were not there they could do it.

12676. They have no right to supersede you, have they?—No; they never trouble their heads about it.

12677. Mr. *Gourley.*] You think that your licenses should be extended to all trades?—Yes.

12678. You think it ought in fairness to be conceded?—Yes.

12679. Why should not it be conceded to men like Hinton?—I should have no objection.

12680. Mr. *Graves.*] Is there any limit to your liability as a pilot through gross neglect in the case of an accident?—We are liable to pay damage in case of accidents.

12681. The same as the licensed pilots?—Yes.

12682. Sir *C. Wingfield.*] Up to 100 *l.*?—Yes.

12683. Mr. *Graves.*] Do many vessels go up and down the Thames without any pilot on board?—Yes, a few in the Continental trade, where the masters have passed the examination; we have no power of going there; the owners have forced their masters to pass the examination to pilot them, because they are small vessels.

12684. Do you find any practical difficulty in the navigation by these vessels coming in your way without a pilot on board?—Sometimes.

12685. They make the navigation more difficult?—Yes.

12686. And if the number of vessels that went up and down without a pilot was increased, so the difficulty of the navigation would be increased?—Yes.

12687. Would you apprehend, if it became an entirely optional system on the part of all shipowners to take a pilot or not, that more captains would refuse pilots than now?—Yes, I have every reason to believe that more captains would refuse pilots.

12688. And, in your opinion, many vessels would go up and down without a pilot that now take them?—Yes.

12689. And thus will not the difficulty of the navigation of the Thames be increased, in your opinion?—Yes.

12690. *Chairman.*] Did not the men who are in the same position as yourself obtain a clause in the Act of 1854 upon the very ground that they should be always employed by these steamers under the voluntary system?—I believe that was the case.

12691. Men of your class had always been employed by those very home-trade passenger vessels before the Act of 1854, which, for the first time, compelled them to carry pilots; was not that the case?—Yes.

12692. What

Mr. *C. T. Luton.*

15 June 1870.

12692. What ground is there for believing that these same vessels will not continue to take pilots?—Because the privilege is given now for masters and mates to pass an examination, and they embrace the opportunity of passing their masters and mates, and taking the ships up themselves.

12693. Before 1854 these vessels were not bound to take pilots at all, therefore, the masters had not to pass any examination?—It was so.

12694. But, notwithstanding that, they employed a class of men like yourself to pilot them from Gravesend up to the docks?—Yes.

12695. And on that occasion, when the Act of 1854 was passed, which compelled the vessels to carry pilots, you obtained a clause reserving your rights?—Yes.

12696. In the event of the Bill passing, relieving these vessels from the obligation to carry pilots, what ground is there for believing that they will not continue to carry pilots in the same way that they did before the Act of 1854?—There are so many in the market now; the labour is so cheap and masters are ready to take the ships themselves simply to get a situation.

12697. There were many masters wanting occupation before 1854, were there not?—Not so many as now, I believe.

12698. You think that a great change has taken place since 1854?—Yes.

12699. You think that many masters of vessels would be willing to take the work now?—Yes.

12700. Mr. *W. Martin.*] You have been a long while on the Thames, have you not?—Yes.

12701. And you know the different vessels that go up and down the river?—Yes.

12702. Do you know the barges that trade in cement and lime from the Medway up to London?—Yes.

12703. They are sea-going vessels, good vessels, are they not?—Yes, some of them.

12704. Are not most of them?—I cannot say that.

12705. They are vessels with masts and sails, are they not?—Yes.

12706. They do not keep drifting about without masts and sails, do they?—There are sailing barges and dumb barges.

12707. No dumb barges come up from the Medway, do they?—No.

12708. Those that come with masts and sails are no obstacle to you in piloting, are they; they do not get in your way, do they?—Very frequently, I think; one of the greatest difficulties we have to encounter is sailing barges till you come up into the upper Pool.

12709. Why are they worse than other sailing ships?—Simply because they are so obstinate. Supposing you come up with a heavy vessel, and a barge is standing across, if you ask him to put his helm down he will not do it; he will let you touch the ground and run against our own helm very often.

12710. Are you aware that they are generally manned by yachtsmen, when the yachts are laid up?—Some of them are very clumsy ones then.

12711. Mr. *Gourley.*] I suppose barges are the cause of more collisions in the Thames than any other craft?—Yes.

12712. Mr. *Stevenson.*] Some of those home-trade passenger ships come from the Continent, I believe?—Yes.

12713. They are obliged to take a pilot with passengers on board, are they not?—Yes; then they take a pilot.

12714. Are they compelled to do so?—Yes.

12715. Equally with coasting steamers?—Coasting steamers with passengers are compelled to take a pilot; all coasting steamers and other vessels carrying passengers are liable to compulsory pilotage.

12716. Mr. *J. S. Hardy.*] Why was the Act of 1854 passed if these ships were exempt from carrying pilots before?—I do not know why it was, but I believe that several accidents occurred, and Sir Robert Peel was on board one of the ships, so I am told.

12717. It was found necessary to make them carry pilots when they have passengers on board?—Yes.

12718. *Chairman.*] But you told us that they always did carry pilots?—Yes.

12719. And they took the class of men that are now masters?—Yes.

12720. So that the only effect of the Act was to compel them to carry the men they had been in the habit of carrying?—It was offered to the regular body first, and they refused it.

12721. The result of the Act was to compel them to carry the men they were in the habit of taking?—These men held no licenses but watermen's licenses in 1854.

12722. The men who obtained the licenses for piloting the vessels were the very men who had been in the habit of piloting the vessels?—Yes.

12723. Therefore, the effect of the Act was to compel them to take the men they had been in the habit of taking under the voluntary system?—It was to compel them to pass the examination and to compel the owners to have men who had passed the examination, because the Act specified that they should have the assistance of a properly qualified man.

12724. The result was, that the men who had been in the habit of piloting the vessels obtained licenses, and obtained the right to force their services upon the very vessels who had been in the habit of voluntarily employing them?—Yes.

12725. Mr. *J. S. Hardy.*] I suppose the competent men were able to obtain licenses and to obtain employment, and the incompetent men were unable to obtain licenses?—All the men who were working passed.

12726. Did the accidents happen whether from having no pilots on board, or from their having incompetent men?—From having no pilots on board.

12727. Sir *J. Hay.*] I think you stated that there were more masters qualified to act as pilots now than there were before 1854; do you mean masters who were qualified by taking a license, or do you mean masters qualified by reason of experience?—I mean thereby that they call themselves qualified, because they have passed an examination.

12728. You speak of men who have passed an examination, and who are qualified by holding a license?—Yes, much against their own will; the owners force them to do it.

12729. Would they pay the same pilotage?—Yes.

12730. Mr. *Graves.*] I see on the back of your license there is "annual renewal;" what is the meaning of that?—Every year it has to be renewed, and three guineas paid.

12731. It is renewed by the Trinity House?—It is renewed by the Trinity House.

12732. Do

12732. Do you pass any examination each year?—Not each year; we pass an examination before we obtain a license.

12733. What do you pay the three guineas for?—The renewal of the license for working; that goes to the Trinity House.

12734. There is a tax levied upon you of three guineas a-year?—Yes.

12735. And the only return for that is the entries upon the back of your license?—Yes.

12736. Do the licensed pilots undergo the same form?—Yes; they have to renew their licenses the same.

Mr. *C. T. Lulon.*

15 June 1870.

12737. *Chairman.*] That goes to the pilotage fund?—Yes.

12738. It goes to the pension fund?—We have nothing to do with the pension fund, we are only outsiders; we have no claim upon the superannuation fund.

12739. Mr. *Stevenson.*] But your money helps other people's claims?—Yes.

Mr. ANTHONY GEORGE ROBINSON, called in; and Examined.

12740. *Chairman.*] You are a Shipowner in London?—Yes.

12741. And Deputy Chairman of the General Shipowners' Society?—Yes.

12742. You have had a large number of ships under your management?—Yes.

12743. Has the Bill before the Committee been considered by the Shipowners' Society?—Yes.

12744. And we have been told already that they approve generally of its principles; is that so?—Yes; the only objection was to paragraph 6 in clause 2, which gives the authorities power not to license any more pilots for two years; we consider it injurious to stop the licensing of pilots.

12745. You observe that the intention of that is only with the view of ascertaining what number of men should be drawn off the list in the event of their employment falling off?—Yes.

12746. After the two years have expired that restriction will no longer hold?—No; we consider that it puts the pilotage authority in a position that obliges them, for their own sakes, to wait a considerable time to ascertain whether there would be a falling off or not, and during that time the shipowners may suffer from the want of pilots.

12747. Supposing that the interval was reduced to one year, would you still object to it?—Yes, but not so much; the shorter the time the better.

12748. You understand that it would be necessary to make some restriction in the number, or otherwise the pilotage authorities might take the opportunity of licensing a considerable number, and, under the provisions of the Bill, the Board of Trade would be compelled to withdraw a greater number than is necessary?—Yes, we saw that objection as well; but we considered that the chance of not having sufficient pilots was more serious than that.

12749. You look with great dislike at any clause which has the effect of tending to perpetuate the principle of restriction?—Yes.

12750. At present it rests entirely with the local authorities whether to license an additional number of pilots or not?—Yes.

12751. And if they think fit, they may throw the pilotage entirely open?—Yes.

12752. A clause like that might have the effect of inducing the pilotage authorities to continue the restriction of numbers?—Yes.

12753. Apart from that, which is a minor detail, the members of the society generally approve of the Bill now before the Committee?—Yes.

12754. Will you state to the Committee generally your own opinion with regard to compulsory pilotage?—I think it very objectionable; I think by doing away with compulsory pilotage we should have better pilots; they would be more efficient. Our society is a great shipowners' society, and there are repeated complaints from time to time from the owners of ships trading to London in dark winter weather, of having to run into the Downs without pilots; the pilots having the monopoly, anchor under Dungeness in bad weather, and the ships coming up of a dark night cannot get a pilot, and they think that if the restriction was removed, and if there was free trade, these men would go further down channel, as the Dutch and the Belgian pilots do, and that valuable ships would not run into danger.

Mr. *Robinson.*

12755. I believe that your society have frequent complaints from vessels who want pilots, and do not get them so early as they would wish?—Yes.

12756. And you are of opinion that under the voluntary system there would be a greater inducement for the pilots to seek the vessels, whereas now the vessel has to seek the pilot?—Yes.

12757. Have you any further objections to make with regard to the compulsory system, arising from the present exemption from liability of the owner who is compelled to employ a pilot?—Yes, we are compelled now to employ pilots at a very serious and heavy expense on small ships.

12758. What are your steamers; are they engaged in the general steam navigation?—They are general traders from the Baltic, and from the Continent, and from the Mediterranean, and America.

12759. I suppose some of them are not compelled to carry pilots, and some of them are?—Yes.

12760. Therefore you have experience of both the voluntary and compulsory systems?—Yes; in the river between Gravesend and London it is voluntary with a great number of steamers, but they invariably take a waterman or pilot, though they are not compelled.

12761. And you select the waterman you wish to employ?—Yes.

12762. And you get a man specially qualified for the purpose?—Yes; I have complained more than once to the Trinity House authorities that they have not licensed enough of them; we are short of pilots now; at the present time there are not enough licensed pilots between Gravesend and London.

12763. Are you obliged to supplement them by the free watermen?—Yes.

12764. Do you find any difficulty in getting thoroughly competent watermen to pilot your vessels?—No; we have experienced difficulty in this way, that these watermen have been over and over again superseded by Trinity pilots. They wait until the ship in the river is unmoored and

Mr. *Robinson.*

15 June 1870.

taken out of the tier, and all the trouble has been gone to, and they then step on board the vessel and say, "I am a licensed pilot," and they supersede the other man.

12765. You think that a hardship from which the watermen suffer?—Yes.

12766. You think it ought to be met by adding to the number of licensed pilots?—Yes.

12767. You were just now going to state some of the objections you had to compulsory pilotage?—I had an instance here of one of our steamers trading sometimes coastwise and sometimes to Holland, and therefore she is sometimes free of pilotage. In this case we sent her to Bordeaux. Our captains are not always licensed pilots, because we have to change them sometimes, and we cannot license a man unless he is in command of one ship. In this case we were unfortunate in not having a licensed captain; the consequence was we had to pay an outward pilotage irrespective of the Gravesend pilotage, 5*l.* 1*s.* 3*d.*, earning a freight of 70*l.* 10*s.* 3*d.*, and an inward pilotage of 7*l.* 11*s.* 5*d.*, earning a freight of 192*l.* On a freight inwards and outwards of 262*l.*, the vessel had to pay 12*l.* 12*s.* 8*d.* pilotage. On another occasion, a vessel earning a freight of 270*l.* had to pay 15*l.* 10*s.*

12768. Was that for pilotage from Gravesend to the Downs?—Yes.

12769. And that is irrespective of that other pilotage which you speak of between Gravesend and the docks?—Yes.

12770. I think for that portion of the Thames you always do take a pilot?—Between Gravesend and London.

12771. Between Gravesend and London you always take a licensed pilot, or a waterman?—Yes.

12772. Is that on account of the peculiar state of the navigation of the Thames?—Yes. We had a case before the present law was altered where we were compelled to carry a Trinity House pilot. A ship arrived at Gravesend from Oporto, with passengers and live stock on board; the captain went ashore, and asked two or three Trinity pilots to take him up, and not one would go with him; they said they were not compelled to go at night, and they would not go; they said that he would have to wait till he could get a waterman to bring the ship up.

12773. Your instruction to your captains always is to take a pilot at Gravesend?—Yes.

12774. And from London to Gravesend?—Yes.

12775. But from Gravesend to the sea, or inwards from the Downs to Gravesend, your instructions are that your captains are not to take pilots?—Yes.

12776. You think that they are thoroughly competent?—Yes.

12777. You would not appoint a man to the command of one of your vessels who is really not competent to navigate it from the Downs inwards?—No. What we find fault with in the present law is, that a ship trading one week to one port is not compelled to take a pilot, whereas if she goes to another port, going down the same channel, she is compelled to do so.

12778. That arises from the very complicated state of the exemptions?—Yes.

12779. It would be quite impossible to go backwards and get rid of the exemptions, and the only way is to go onwards and extend exemptions to every vessel; is that your opinion?—Yes. Another great objection to compulsory pilotage is the law as to collisions.

12780. What is your opinion upon that point?—I can give one instance which occurred in our own case, where we had a ship moored in the river, in charge of a Trinity pilot; a vessel ran foul of her, and we have never recovered any damages; our ships have sunk two or three ships in the river from time to time, and we have not paid anything, because our ships were under the charge of a compulsory pilot.

12781. Then it acts with great uncertainty as to whether you are going to get damages out of the vessel you are in collision with or not?—Yes; this man had his vessel moored in Deptford, head and stern; and our ship ran him down and sunk him; the man was ruined; he brought an action against us, and we defended it; pleaded compulsory pilotage, and it was decided that we were not liable; then he had to go against the pilot, and the pilot had no means.

12782. It has been suggested to this Committee that it might be possible to meet that difficulty by throwing upon the owner the responsibility, though at the same time compulsory pilotage is retained?—The owner would never submit to be compelled to take a man and then be liable for his acts; it is contrary to all principle of reason to compel a man to be liable for another man's acts, over whom he has no control.

12783. Are you aware that that is the law in some parts of the Continent?—Yes.

12784. Have you heard complaints of it in foreign ports or not?—Yes.

12785. Are you aware that that is the law in Holland now?—Yes; we have suffered from it ourselves.

12786. From being made liable for the actions of a man that you were bound to employ?—Yes; it works very badly.

12787. You do not think that that would be a proper remedy to meet the evil?—No.

12788. You think also that compulsory pilotage operates very offensively upon small vessels?—Yes.

12789. A large number of vessels, whose masters are quite competent as pilots, are bound, under the present law, to take pilots when they do not want them?—Yes.

12790. And it forms a considerable per-centage in their earnings?—Yes.

12791. Particularly upon vessels from the Thames and the east of England, and the Continent?—Yes.

12792. Is it your opinion that the licensing system should be maintained, and that the pilotage authorities should continue to license men and regulate the charges of the pilots?—Decidedly.

12793. You are not in favour of a completely free system, of throwing the whole thing open?—No.

12794. Then you approve of the general principle of leaving the pilotage authorities with the power to license pilots, and, in fact, to put the compulsory districts in exactly the same position as the non-compulsory are now, where there is an established pilotage authority?—Yes.

12795. Do you at all know the navigation of the Mersey?—Yes.

12796. Do any of your vessels trade there?—Yes; some of them, coasting vessels.

12797. Is there, in your opinion, any reason for specially exempting Liverpool from the operation of this Bill?—No, I do not see any.

12798. You

12798. You do not see that the navigation of the Mersey is so much more difficult than the Thames?—It is not nearly so difficult.

12799. If this Bill is passed, what is your opinion as to the amount of employment that will remain for the pilots?—I think there will be quite as many employed, and in some cases more; but in all cases, I think, there will not be a reduced number employed, particularly as the trade of the country is steadily increasing year by year; the effect of the Bill may be to get rid of bad ones, and the good ones will earn more money that they do now; the active ones will take the place of the sluggards.

12800. With regard to the aggregate number of pilots that will be required if the Bill is passed, do you think that there will be, on the whole, a falling-off in their number?—No; in the case of the port of Cork there is no compulsory pilotage, and I believe there are more pilots there now than there were before.

12801. You think that the effect of the Bill will be to stimulate the exertions of the pilots, and that it will be so beneficial as to produce more employment than now exists; that the men would go out to sea and charge more, and that that will make up for the falling-off in the number of vessels that want pilots, which would go to counteract what you stated, namely, that the small class of vessels that are now bound to take pilots will not want them?—Yes.

12802. In your opinion, it is not necessary to go into any such system of compensation under the Bill?—I should think you would have nothing to pay under the Bill; it was our opinion, and not only my opinion, but the opinion of many of the shipowners, that there would be nothing to pay, and that was the reason why we thought that Clause No. 6 was so objectionable.

12803. The opinion of the Shipowners' Society is, that there will really be no call for compensation at all?—Yes.

12804. And that there will be, on the whole, as much employment of pilots, looking at the increase of the trade, as there is now?—Yes.

12805. Mr. *Graves.*] You say you think there will be no falling off in the number of pilots; what is the hardship under the present system?—The hardship of the present system is making me pay for you, for example. I have to pay with my small ship, when my captain is well acquainted with the navigation; to pay for a man that has a large ship, where the amount of his pilotage is a mere fraction as compared to the freight he earns, whereas the amount of pilotage for a small ship is a very large per-centage.

12806. I understood you to say that you thought that the number of pilots employed would be the same as ever?—I think so, and they would go further afield.

12807. It is only to the incidence of the tax that you object principally?—I object on principle to compulsory pilotage altogether, because it carries with it freedom from liability in the case of collisions.

12808. You regard it as a tax upon shipping?—I do.

12809. Do you regard the light dues as a tax upon shipping?—Yes.

12810. And you put the two in the same category very much, in your desire to get quit of them?—Yes.

12811. *Chairman.*] There is no exemption from liability arising from the payment of light dues?—No.

12812. Mr. *Graves.*] You referred to the Mersey; how much do your vessels pay towards the pilot service of the Mersey?—None at present, unless we send a strange ship in there.

12813. Then you do not suffer from any hardship in the Mersey?—Personally not; but there is some hardship to the small shipowner; I am not speaking now personally of A. G. Robinson, but as deputy chairman of the General Shipowners' Society, and there is the same hardship arising in the Mersey as in the Thames or any other port.

12814. But personally you have no hardship to complain of with reference to the Mersey?—No.

12815. Your vessels trade with nearly all the continental countries?—Yes.

12816. Are there not any ports to which your vessels ply in which compulsory pilotage does not exist?—I am not thoroughly up in the pilotage law in all the places we trade to. In Russia I do not think we are compelled to take a pilot. In France, Holland, and Portugal, we are; we are not compelled in Turkey. In America, to a certain extent, we are bound to take a pilot when he offers; but there is a certain amount of freedom there, and we sometimes take a pilot 100 miles off the port.

12817. In France the system is compulsory?—Yes.

12818. In Holland it is compulsory?—Yes.

12819. In Belgium it is compulsory?—Yes.

12820. In Spain it is compulsory?—I think so.

12821. And Portugal?—Yes, and Portugal.

12822. And North Germany and Austria?—Yes, and the Elbe.

12823. How far do you carry your views with reference to a perfectly free system; do you mean that any number of pilots should be licensed who can prove themselves qualified?—I would go so far as that, because I think it would regulate itself; men would cease to ask to be licensed.

12824. Would you give the option to the pilot as well as to the shipowner whether he would, when called upon, pilot a vessel out or not?—Yes; practically he has now that option.

12825. You would give perfect freedom?—He now has the option; I cannot compel him to go; the law compels him to go; but I should be very sorry to enforce the law; practically, at the present moment, the pilot need not go, but the shipowner must take him.

12826. Practically, in a regulated system where each man takes his turn, he has no power then to say that he will not accept it?—No, he has no power to say that he will not accept it, but he has the power to say whether he will go or not.

12827. Would you leave it free to a pilot to make his own arrangement as to the price of the pilot for his services?—I would not object. At the same time if he is to come under the pilotage authority, I think that is one of the points I would leave with the pilotage authority to regulate.

12828. The chairman of your society, at Question 9623, was asked this: "If there were two vessels running up the north channel, one of 1,500 tons and the other of 300 tons, you would leave it free to the pilot to go to the one of 1,500 tons?"

Mr. *Robinson.*

15 June 1870.

tons?" and his answer was "Yes;" do you agree with that?—I do.

12829. Do you think that that would be just to the small class of vessels?—I think it would; I think a pilot is like every other man, and he ought to be allowed to get the most he can for his services.

12830. Under what provision of this Bill would you hope to carry out that perfect freedom which you aim at?—I do not exactly understand the provisions of the Bill; I am quite satisfied of this, that if you do away with compulsory pilotage we shall always be able to get a pilot when we want him. Take the coast of Norway, or go into any part of Norway, and you will get, not a regular licensed pilot, but a man that is well acquainted with the navigation; go into any port there, and you will find some one who knows the navigation.

12831. Would you leave it to the pilots to go wherever their interests led them to look for vessels, or would you confine them to certain stations?—I would have certain stations; but I would leave them free to go beyond the line of station if they chose, and that would be the practical effect of the non-compulsory system. With reference to the Thames they would go down the channel, and your ship would get a pilot off the Wight; whereas now she cannot meet with any pilot till she comes up to Dungeness, and then, in bad weather she is in danger.

12832. You said that you complained to the Trinity House of the want of pilots; was the complaint made formally on behalf of the society, or individually?—Individually.

12833. Has the society ever made that representation to the Trinity House?—I think not.

12834. Is it not the interest of the Trinity House to regulate the number of pilots in accordance with the requirements of the port?—I do not know what their interest is; but I think they do not regulate them to the interest of the shipowners.

12835. Have the shipowners the right of election of the Trinity House?—No, it is a self-elected body.

12836. And that is objected to by the shipowners of London?—Yes, almost unanimously.

12837. Has it it been at all considered by the society whether any improvement could be made with reference to the control of the pilots of London, in providing a local authority of a representative character?—The General Shipowners' Society have written to the Board of Trade, calling their attention to the members of the Trinity House, being self-elected, and expressing a strong opinion for a general election by the general body of the shipowners. Beyond that I do not think they have expressed an opinion that there should be a special pilot authority, constituted by the shipowners, or the parties who pay the pilots.

12838. Is it your own opinion that it would be a very great improvement if a local authority were established, representing purely the commerce and trade of the port for the control of the whole of the pilots of the Thames?—No doubt it would be; it has answered admirably in Dublin, and I think in Liverpool too, and other ports.

12839. Mr. *W. Martin.*] Do you know of the case of the "Leda" and the "Christiana"?—Yes.

12840. That was a case where the "Christiana" was moored by order of the harbourmaster of Blackwall; she was at her proper moorings; the "Leda" in broad daylight, having a Trinity House pilot on board, ran into her and sank her, and the crew were very nearly drowned; they had a difficulty in saving their lives, and the vessel has been disabled ever since?—I know there was a collision.

12841. A verdict of 267 *l.* was found against the pilot on the trial before Mr. Justice Keating?—There was a verdict, but I do not recollect the figure.

12842. And the pilot at once became a bankrupt?—Yes.

12843. And the consequence was that the owner of the "Christiana" never recovered one farthing?—I heard of it; we have had two or three similar cases.

12844. And you are of opinion that that law of exemption, when a compulsory pilot is on board, is very unjust?—I do not consider it unjust, when you are compelled to take a pilot under compulsory pilotage, but if a man is free to take a pilot or not, I think it would be unjust.

12845. Sir *J. Hay.*] In reply to the honourable Member for Liverpool, when describing the objection which you principally held against compulsory pilotage, you said in a very clear manner, "I pay for you"?—Yes.

12846. May not it also be said that it is not that you are paying for another person, but that you are paying in fine weather for a pilot whom you would be glad to meet in foul weather?—No, not so; I do not know of any case where we personally refuse to take a pilot in fine weather where we would take him in foul weather.

12847. I do not want to press the question; I rather want to get your opinion with regard to the ordinary maintenance of a good service of pilots at all the ports where pilots are required in this country; do not you think there is a great deal of encouragement to pilots to be on the spot where they are wanted, if they are certain of employment, in all kinds of weather?—To a certain extent it holds good; on the other hand, the pilots have the monopoly of your being compelled to take them, whether you like it or not, they get supine and do not attend; and it has repeatedly occurred with us in bad weather that we cannot get them, they never make their appearance. A ship hoists a signal for a pilot and no pilot will show himself; but in fine weather, whether there is a pilot signal or not, they come after you. I speak now of the navigation of the Thames; with reference to our steamboats it constantly occurs in bad weather that the captain is doubtful and wishes to have a pilot and signals for one, and he cannot get him; but in fine weather the pilots invariably try to cut him off, and if they do not actually get on board they declare that they were within sight, and claim pilotage from him.

12848. May not that depend upon the haziness of the weather?—No.

12849. I think you stated that the only country in Europe which managed to do without compulsory pilotage was Turkey?—Yes, as well as my recollection serves me, and I fancy it is so in Russia. I feel satisfied that we do not pay for pilots in Russia; we get them, and can take them.

12850. You would hardly think that the Turkish mercantile marine was the best example for us to follow?—I fancy you can get a pilot in Turkey

Turkey if you want him, just as well as in the Thames.

12851. I suppose that the absence of pilots in Turkey is rather due to the religious objection to insurance which prevails there?—No; because there are plenty of Greeks and Ionians there. Turkey itself has no sailors, but there are plenty of Christian subjects there.

12852. Mr. *J. S. Hardy.*] Do not you sail your ships at all hours of the night in the Thames?—Yes, night and day.

12853. Has not damage occasionally resulted from sailing them at night?—I think there is less damage done at night than in the day time.

12854. With regard to the question of compensation, we heard a great deal of it at first, but I should like to ask you, as a shipowner, upon the question of compensation when carrying a compulsory pilot, is not a ship coming in rough weather, even where a pilot is not compulsory, practically compelled in bad weather to take the first pilot that offers?—Not where she is not compelled to take a pilot.

12855. It is not legally compulsory, but in bad weather, with a ship that does not know the port, it is practically compulsory, is it not?—That would be the practical result.

12856. And yet, in that case, there is no injustice in making the owner responsible for the acts of the pilot?—No, because he has not the option of taking him or not.

12857. He has the option; but the option is no greater than the option he has at present, by which he can take a pilot on board, paying him for his services, although he may not allow him to direct the vessel; therefore, you are in as good a position as the person who comes in in rough weather and is obliged to take the first pilot who offers?—He takes his chance of a collision then.

12858. You are now in a position, if you think proper, to pay pilotage, and not to let the pilot manage the ship?—Yes, that is what we often do, and that is what we complain of; that we have to pay a man who does nothing. We sometimes take the charge of the ship from him.

12859. There is another question as to compensation which we have not entered into at all; I want to know why the Consolidated Fund and the public are to be expected to pay compensation for this change which is entirely to benefit the shipowners. Should not the compensation to be paid to the pilots, if there is any to be paid, be a charge upon the shipping generally, and not upon the public at large?—I do not see why the shipowner should pay; he has been paying for a thing he does not want, and you are going to ask him to pay further.

12860. It would not be paying further; in order to be exempt from a certain charge which is now put upon you, it would be necessary that some small compensation should be provided for a few years; is there any reason whatever why I am to be taxed to exempt you from this charge for the future?—Why should I, who have been suffering from this so long, be compelled to pay?

12861. In order to get rid of the grievance you have been suffering from?—The Government of the country have put me under this grievance for such a length of time, and why should I pay to get rid of it? In other cases where Parliament takes off taxation, it does not compel the parties who were taxed to pay for it.

12862. This is not a taxation; it has been a payment for compulsory services rendered, and you are going to be allowed in future not to pay the charge unless you think proper; do you see any reason why the charges which are thrown upon the country by this should not be borne by the people who reap the benefit?—No; I say we have been taxed unjustly for a number of years.

12863. In your view the country ought to pay you what you have been overtaxed for some years past?—Yes, if you could get it.

12864. Mr. *Gourley.*] You look upon the present system of pilotage as a monopoly?—To a certain extent.

12865. And, inasmuch as all monopolies have been nearly abolished in this country, you think there can be no hardship whatever upon those who have been enjoying the monopoly bearing the loss resulting from the abolition of that monopoly?—No.

12866. The same as all other monopolies which have been repealed in this country; when shipowners held the East India monopoly of 60 *l.* a ton, and it was taken from them, it was taken from them for the benefit of the country?—Yes.

12867. Therefore, if the pilot should in the abolition of monopoly suffer a loss, they should bear it themselves; that is your view?—Yes.

12868. And neither the country nor the shipowners should bear it?—Yes; if any loss occurs the country should bear it itself; I think the amount of compensation would be very small, if any.

12869. What is your opinion of the present rates of pilotage, from London to the Downs; is it too much or too little?—I think they are too heavy in certain cases; I do not think they are too heavy in large ships going long voyages earning large freights; but they are very oppressive in light draft of water vessels, which go principally short voyages, and earn very little money.

12870. Under the voluntary system, if the prices were reduced, I apprehend that all shipowners, more or less, would always carry pilots, and would never think of going down to the Downs without a pilot?—All large ships would.

12871. Have you had more accidents with vessels navigated without pilots than with pilots?—We have had more accidents with ships in charge of the Trinity House pilots, than with ships with river pilots, or with ships without pilots at all. We have fewer accidents with ships with no pilots. The Trinity House themselves feel themselves too incompetent to navigate in the river any of the large New York ships; a Trinity House pilot takes on a waterman to help him in many cases.

12872. You would recommend the granting of licenses to watermen who are in the habit of navigating ships on the Thames?—It is granted to them, but not enough.

12873. It is granted for ships carrying passengers; but take other men navigating ships not carrying passengers, would not you recommend that they should also have business from the Trinity Board?—Yes.

12874. Sir *C. Wingfield.*] In fact, you have more confidence in free watermen than a licensed pilot?—Yes; above Gravesend.

12875. And they also do the work very much cheaper?—

Mr. *Robinson.*
15 June 1870.

Mr. *Robinson.* 15 June 1870.

cheaper?—They do it a little cheaper, but not much.

12876. I think their maximum charge is 2 *l.* for the biggest vessel?—Yes; in large ships they would do it cheaper, but in ordinary size vessels it does not come much cheaper; it does come a little cheaper.

12877. Does not the practice of giving separate licenses to the pilots for the river above Gravesend and below Gravesend, lead to a greatly increased cost of pilotage?—It is a bad system.

12878. Does not it make the pilotage much more expensive in having separate licenses for the pilots for the river above Gravesend and below Gravesend?—It does to a certain extent, but the man that pilots below Gravesend could not pilot the ship above safely.

12879. But there are some pilots licensed from London to the Downs, are there not?—I do not know of any, there may be a few.

12880. I believe there are over 50, but they are an expiring class?—Yes.

12881. Mr. *J. S. Hardy.*] But the two are quite a different class of pilots; one is the river pilots, and the other is the sea pilots?—Yes; if you would ascertain the practice of those men, you would find that they take the watermen to help them.

12882. Sir *C. Wingfield.*] You know from your own experience that whether they are obliged to take a licensed pilot or not, they still take watermen, in addition, above Gravesend, because a licensed waterman has a better knowledge of the river?—We do not take him, the pilot takes him and pays him.

12883. Some shipowners do so, I believe?—I do not know that.

12884. Mr. *Gourley.*] That is a rule of your own?—Yes.

12885. Sir *C. Wingfield.*] You require him to do it, do you not?—No; we could not compel him to do it.

12886. Then, in fact, you find it very inconvenient, having employed these free watermen, that a licensed pilot should come on board your ship and supersede him?—Yes; we have found it very inconvenient, because we could not depend upon one or the other. A man says, "I have all this trouble for nothing; there is no use my taking charge of your ship; I may be superseded any moment." That was previous to the licensing of them under the late Act of Parliament for passenger ships. Since then they have interfered very little.

12887. Do you find the free watermen more zealous than the licensed pilots; more eager to get work?—Yes; we have a greater control over them, because we need not employ them if they do wrong.

12888. Whereas a licensed pilot, being secured of work, gets indifferent?—Yes.

12889. And he does not care to go at night?—No, not when the river is crowded.

12890. And his rates being very much higher than the free watermen's rates, he need not do nearly so much work as the free watermen do, although he earns just as much?—No, he need not.

12891. *Chairman.*] The case of the Thames between London and Gravesend is quite optional, is it not?—Yes, it is optional.

12892. We have been already informed that there are a very large number of men who act as pilots who are not licensed; is that the case?—A good number of watermen who are not licensed do pilot home-trade passenger ships.

12893. A large number of whom are quite competent to pilot vessels, I believe?—Yes.

12894. There is an alternative before us, either increasing the number of licensed pilots, or throwing the whole thing open, and allowing anybody to pilot between London and Gravesend; does not the existence of this large body of men rather point to the advisability of throwing the whole thing open?—I would have no objection to see it thrown open.

12895. You think it might be done with safety?—Yes.

12896. It being quite exceptional, there being a large number of men from whom you could make your choice?—Yes.

12897. In your opinion, it is doubtful whether it is necessary to keep up the licensing system of pilotage as far as Gravesend?—I think so; the navigation between London and Gravesend does not depend so much upon a man knowing the particular depth of the water, as it is upon knowing how to handle the vessels; and men being employed in barges and steam-tugs, and tug-boats, learn how to manage vessels much better than any pilot can do.

12898. There is such an abundant class of men who are really competent, and out of whom shipowners can choose which man they think fit, that really there seems hardly any necessity for having a licensed corps at all there?—No; previous to the watermen being licensed to pilot ships after the Passenger Act was passed, we found no difficulty in getting competent men that were not authorised to pilot at all; in fact, I think the men of that day did less mischief than they do at present.

12899. In fact, the very men whom you used to employ were afterwards licensed under the Act of 1854?—Yes.

12900. And on the whole that protection which is obtained from their license has hardly been a benefit because it has given them a kind of monopoly?—Yes.

12901. And it has tended rather to damage property?—It has tended to make them careless. We are placed in the difficulty now that if we get rid of one, we cannot get another very well; they are not in existence.

12902. I think you stated that your experience was, that the number of accidents arising to vessels when in charge of pilots, was rather more numerous than when they were not under the charge of pilots?—Yes.

12903. The effect of the passing of this Bill, you think, would be to diminish the security to life and property?—Yes.

12904. Is that the general opinion of the Shipowners' Society?—Yes.

12905. What is the amount of tonnage that you manage yourself?—About 30 steamboats.

12906. Are they of a considerable size?—Yes, from 2,000 tons down to 300 tons.

12907. Are most of those vessels fully insured?—None are fully insured.

12908. Speaking as an owner of ships to that extent, do you think that the effect of the Bill would be in any way detrimental to property or life?—No, nor as an underwriter either.

12909. Are you largely engaged in underwriting?—Yes.

12910. As an underwriter you are of that opinion?—Yes.

12911. Mr. *Graves.*] Would you extend the free system below Gravesend?—I would leave it optional.

12912. *Chairman.*] You think below Gravesend there should be a licensed system?—I think you must have them under control, otherwise you would have fishermen presenting themselves to foreigners and strangers as pilots, that have no right to do so.

12913. When those foreign vessels come up to Gravesend they would be in the hands of brokers who could supply them with competent watermen?—Yes.

12914. Whereas, if they were out at sea entering the Thames, they might fall into the hands of incompetent men?—Yes.

12915. That would be a reason for keeping up a license system from the Thames to the Downs, which there is from the Thames to London?—Yes, to a certain extent,

12916. Mr. *Graves.*] Would you give the licensed pilots the power of superseding unlicensed men when they are once in charge of a ship?—No, I would leave it optional with the captain to change him or not as he pleased.

12917. Sir *C. Wingfield.*] Does that answer apply to pilots above Gravesend?—Yes, anywhere and everywhere; a man joins a ship off Beachy Head, and if he comes up it is not fair that he should be superseded at Dungeness by a licensed man who has been lying snug under Dungeness.

12918. *Chairman.*] Then what is the value of his license?—To a certain extent it gives the captain of the ship the option of taking a licensed man; the license is, to a certain extent, a certificate that the man is competent.

12919. Do you think that the license should be no more than that; that it should give no legal power of superseding?—No.

12920. Sir *C. Wingfield.*] It would be a sufficient advantage for the man to possess the license?—Yes.

12921. Mr. *J. S. Hardy.*] What guarantee would that be to a foreigner to prevent him being preyed upon by watermen?—He will take care of himself. When he finds that he has got an unlicensed man on board he would make his bargain with the man before he took him.

12922. The result of that would be not to have licenses at all, but to throw the whole trade open?—The effect would be that nearly every competent man would take a license.

12923. In fact, it would create free trade?—It would be a certain free trade. I presume the pilotage authority would not grant a license without examining the man. I do not think there would be more competent men who would present themselves for it. We have not got such a superabundance on shore or land of competent people in the present day. We are rather short than otherwise of good men. Both masters and mates, and pilots, we are short of.

Mr. *Robinson.* 15 June 1870

12924. *Chairman.*] Your last proposition goes much beyond the Bill before the Committee?—Yes.

12925. You would hardly think it desirable to adopt such a course at once?—No.

12926. It would raise much more difficult questions of compensation than are raised now; you are giving your theory of what we might ultimately come to?—Yes.

12927. But it would be necessary to proceed to it by steps?—Yes; you could not come to it all at once.

12928. Mr. *Gourley.*] But you would not leave the pilotage system, even though that system should be ultimately free, without responsibility to some authority?—No; if I licensed a man I would put him under the control of somebody for damage sustained.

12929. You would recommend that the pilotage system between London and Gravesend should have some representative to which the pilot should be accountable?—Yes, just the same as you license a cabman.

12930 Sir *C. Wingfield.*] It might be under the Board of Trade?—The Board of Trade have too much power already.

12931. Mr. *J. S. Hardy.*] With this system the men would take care not to take a license because there would be a licensed man superseding him, and by taking out no license he would be a perfectly independent man?—It would cure itself. A captain of a ship is anxious to get a pilot; of course he knows that men are licensed, and he also knows that some men are real pilots and others are only supernumeraries, therefore he would take a licensed man as a rule; a man who did not know the port would take a licensed man at once when he presented himself.

12932. Mr. *Gourley.*] Do you think that all vessels should be piloted by men licensed by some board?—I do not say that; at present it would be better perhaps until we get a little more experience.

12933. *Chairman.*] Do cases ever occur in which vessels which pilot themselves employ a waterman to assist them?—Yes.

12934. Thus showing their own incompetency?—Yes.

12935. They pay them out of their own earnings?—Yes.

Mr. Thomas Davies, called in; and Examined.

12936. Mr. *Graves.*] You are a Master Pilot of Liverpool?—Yes.

12937. How many years have you been in the pilot service?—Thirty-seven years.

12938. It has been stated by one of the pilots here, Henry Jones, who was engaged in Mr. Inman's service, that he only received 170 *l.* a year; is that correct?—No; I have a statement copied from the returns made by Mr. Leece, the collector of pilotage, which I can vouch for as being correct; in 1867 he received 334 *l.* 9 *s.* as pilotage, and that went to the general fund.

12939. From whom was it received?—From Mr. Inman, and he received himself for his own earnings, 220 *l.* 9 *s.* 10 *d.* In 1868 he received 327 *l.* 2 *s.* as pilotage, and he received himself 212 *l.* 17 *s.* 3 *d.*; in 1869 he received 346 *l.* 14 *s.* 6 *d.* as pilotage, and he received himself 216 *l.* 18 *s.* 7 *d.*; that includes alien pilotage.

Mr *T. Davies.*

12940. Showing that the 170 *l.* which he stated that he had received is not correct?—He received 180 *l.* from pilotage, but including the alien pilotage it makes the sum of 216 *l.* for that year.

12941. I believe you were the chairman of a

Mr. *T. Davies.*

15 June 1870.

meeting of pilots held at the George's Dock, on the 8th of March last?—Yes.

12942. Was that meeting called by advertisement?—Yes, it was by advertisement.

12943. What number of pilots were at that meeting?—It was a very full room; I should think there were 150, or more.

12944. Was Jones present at that meeting?—He was there.

12945. Was Beckett present?—He was there.

12946. Did either of the pilots disagree with the resolutions that were put that day?—No; Jones did not say anything, but he heard all which passed, and he was satisfied with what was done; but Beckett took a very active part in bringing certain things forward before the meeting.

12947. In opposition to the Bill?—Yes.

12948. What was the resolution agreed to at that meeting?—To oppose the Bill, and, failing that, to seek for compensation without making any concession at all.

12949. To oppose the Bill in its principle?—Yes.

12950. Was there a dissentient voice in the meeting?—Not one.

12951. Whom did the pilots assembled at that meeting select to come to London to state their views?—They had other meetings afterwards, and they selected Mr. Beckett and Mr. Richard Williams to represent them.

12952. Did these two representatives take any active steps?—They were attending the Committee, coming up and down, prepared to give evidence if it was required, for about two months.

12953. Did they get up petitions?—They got up petitions and went to the newsroom and got them signed by all the masters of vessels.

12954. Were they all in favour of retaining the present compulsory system at Liverpool?—Yes.

12955. Was not Beckett in attendance during all the early sittings of this Committee in order to give evidence against this Bill?—Yes.

12956. Why did he not give evidence?—The reason that there was no evidence given on the first part was that Williams and Beckett considered that all their views had been placed before the Committee, and there was not much for them to say with reference to it; but before this transpired there was a complaint against him before the pilotage committee, which he had to attend to, and then, I think, he altered his views and declined to come and give evidence.

12957. Did you hear Beckett's evidence yesterday?—Yes.

12958. Did he state the views of the pilots of Liverpool?—Not at all.

12959. Was he authorised to come here to state their views yesterday?—I am not aware that he was authorised by any person; so far from his stating the views of the pilots, I am not aware that there are any men, except the two who came before the House in the pilot service, at Liverpool, who object to our opposing the Bill. I have had many opportunities to test it by different meetings, and talking to the body, and from the feelings expressed to me, the whole of the pilots are in favour of compulsory pilotage for Liverpool.

12960. Did the pilots afterwards nominate another of the journeymen pilots to represent their views here in place of Beckett?—Beckett was away on an excursion for several days, and during that time they appointed another in his place, but when he came back he resumed his post.

12961. Mr. *Gourley.*] His absence was the cause of their appointing another?—Yes.

12962. Mr. *Graves.*] Were you present yesterday when it was stated by Beckett that the pilot boats avoid supplying the small vessels if they see a larger one; is that correct?—It is not correct, and it is a very false statement; and in my position, if I was to attempt to do anything of the kind, I would lose my 37 years' servitude in the service with reference to my superannuation. I should be dismissed the service as a master pilot if I attempted to pass a small vessel, or any vessel, and gave the preference to another one; it is a point that the committee is most particular upon.

12963. And if done, would the boat they are in be liable to punishment?—The master of the boat is responsible to the committee for carrying out the laws.

12964. Is it not also the fact, that the second boat on the station considers it part of its duty to watch the first one?—It is a duty laid down by the committee to see that no vessel escapes, or that no vessel wanting a pilot shall be avoided in any way; if the first boat shirks them at all, the second boat puts a pilot on board directly.

12965. You do not know of any instance when a small vessel has come up with her flag flying for a pilot, that a large vessel has received the preference from the pilot?—It never occurred to my knowledge.

12966. It has been stated by Beckett, that he has done 20 turns against another man's four; can you give any explanation of that?—I do not understand that at all, because the system in the service is for the men to take regular turns; when the boat goes out they take their turns to pilot each vessel in succession, whether it is a small or a large one, and whether the time is a dirty time or a pleasant time, each goes in rotation, so that he could not possibly pilot 20 ships to another man's four; I think, if I remember right, he did say something about three masters, that was what he was alluding to at the time. There are three masters employed to each boat; I am the first master of No. 10; the third master in No. 10 is doing my duty in Liverpool, and is appointed by the committee for the purpose; if he is doing my duty in Liverpool, he could not take the vessels in and out, and the whole of the 16 journeymen divide his work amongst them, so that Beckett might perhaps, in comparison with that one individual, do a little more work, but he would not do more than the other 16 journeymen.

12967. He has also stated that he worked only 40 days out of the 365; can you offer any explanation of that?—I suppose he merely meant the time he was actually employed in piloting vessels, but he has to be at sea six months in the year, and I thought, from his evidence, that the gentlemen of the Committee would think we had a very pleasant time in Liverpool in piloting; he said that he was doing nothing but eating and drinking, and walking on shore.

12968. *Chairman.*] We understood that he was a certain time at sea, but that the actual time he was engaged in piloting vessels was only 40 days in the year?—As regards that, it would be 50 or 55; I would not contradict his statement,

ment, but, being employed as a pilot, he must be at least six months of his time afloat in the Bay of Liverpool, under all circumstances, and under all weathers; and in the winter time it is a very irksome and disagreeable situation to be in. During the time he is on shore he has to attend at the committee office, sometimes two tides in a day, particularly in the summer time, when there are long days. A portion of the pilots are sent home, and they have to attend every night at five o'clock; then they have to go in the river with vessels; sometimes they are lying on vessels outward bound eight or ten days, and sometimes three or four days; but many of the large ships, particularly passenger ships, have pilots on board in the river some two or three days before they sail.

12969. Mr. *Graves.*] Are there not also a certain number obliged to be on the pier head?—Yes; we meet twice a day when the days are long, but always one tide every day; we meet two and a-half hours before high water, and remain there till after high water.

12970. And each man's work is allotted out to him, whether moving vessels from dock to dock, or anything else?—We have a book, and if anybody makes an application for a pilot the master sees that the pilot is ready. If a master neglected to attend to it he would be severely fined by the committee, and if a pilot neglected to come they could take his license from him.

12971. While a man is supposed to be on shore, and not in the bay, he has a large amount of important duty to attend to?—Yes.

12972. And you consider that that is one of the necessities of the port, in order to keep up an efficient service?—Yes.

12973. *Chairman.*] Are you a boatowner yourself?—Yes.

12974. You stated just now that when Beckett was unable to be here the pilots chose somebody else to represent them?—Yes.

12975. Did the other man come up here?—The other man came up here, and he was here the whole of one or two days.

12976. Was he here while the Liverpool witnesses were being examined?—Yes.

12977. And he was not called?—No.

12978. Were you here in the room yesterday when Mr. Beckett gave his evidence?—I was.

12979. What induced you to come up here?—I have been attending continually backwards and forwards, to give evidence, if necessary.

12980. You attended on your own behalf?—In my own behalf.

12981. And not as representing the pilots?—Representing pilot boatowners.

12982. You were not chosen to represent the pilots, were you?—Some portion of the pilots, and the pilot boatowners.

12983. But not the other pilots?—All the pilot boatowners that are pilots.

12984. But not the other pilots?—There are a great many of them.

12985. How many of the pilots of Liverpool are boatowners?—I suppose something like 70.

12986. And how many are not boatowners?—I suppose rather more than that; I do not know the number.

12987. Are there not 120 who are not boatowners?—I do not think so many as that.

12988. We have it in evidence what the number is, but you were selected by the boatowners to represent them?—The pilots who are boatowners.

12989. And this other man was chosen by the pilots who were not boatowners?—Yes.

12990. This man came up to attend the Committee, but was not called when the Liverpool witnesses were called?—No.

12991. Was Mr. Beckett in attendance at the time when the Liverpool witnesses were called?—Yes.

12992. He was not called then?—No.

12993. Mr. *Gourley.*] How did the pilots make the appointment of Mr. Beckett and yourself; by a general meeting or a meeting of the committee?—By a general meeting of the pilots.

12994. How many pilots were present?—I do not know; but all that were on shore that could vote in that way.

12995. How many are on shore generally?—About half the number; about 120.

12996. *Chairman.*] Do I understand that the other man was chosen on the part of the pilots who are not boatowners?—Yes.

12997. Instead of Mr. Beckett?—It was during the time Mr. Beckett was away.

12998. And on that account?—Yes.

12999. Although Mr. Beckett had been here attending the Committee at the time the Liverpool witnesses were called?—He had been here, and he also came up while the other pilot was here; there were three here to represent the pilots.

13000. And none of them were called?—No.

13001. Is there not a considerable difference between the pilots who are boatowners and the pilots who are not boatowners?—I do not know that there is any material difference; but from my own experience, on the whole, I think the boatowners are the better class.

13002. But they were called together separately, and they chose separate persons to represent them?—No; at the general meeting I was selected by the whole of the pilots to preside at that meeting.

13003. But when was it determined to come up to give evidence upon the two classes of pilots separately?—We had our meetings separately; we had a master pilots meeting, and we had a journeymen pilots meeting.

13004. One class of the pilots chose Mr. Beckett to come here, and the others chose you?—One class chose Mr. Beckett and Mr. Richard Williams.

13005. And the other class chose you?—Yes.

13006. I suppose there was some reason for choosing different men to represent them?—The only reason was because one was to represent the pilots that were not boatowners, and the other was to represent the pilots that were boatowners.

13007. There was some difference of opinion between the two classes?—I am not aware of any difference at the general meeting; we were then unanimous as to compulsory pilotage.

13008. Are you aware that the pilots who are not boatowners complain very much of the system of boatowning?—I have not heard anything particularly about that; but there is no doubt that where capital and labour is divided, there is generally an outcry.

13009. As a general rule you admit that?—Yes.

13010. Would you apply that general rule to the

Mr. *T. Davies.*

15 June 1870.

the particular case before us, namely, the separation of interest between pilots who are boatowners and pilots who are not?—It may be so, but we have a fair arbitrator between us; that is the pilotage committee; the pilotage committee are a disinterested body, and they arbitrate between us.

13011. You have not told us the reason of the pilots not being called at the period of the Liverpool evidence being given; do you think that it was very possibly from the difference of opinion between you as to the Liverpool system of pilotage?—I can state positively that we had a meeting, and that the pilots were asked by our solicitor and myself if they would give evidence in this case, and the answer was, that they had a number of questions written down, and they had been striking them off one by one, and everything they thought of putting forward had been done by others, and they did not see that there was anything to give evidence about; they being satisfied, I was satisfied, and there was an end of it.

13012. Did you come up again when you heard that Mr. Beckett was coming?—I have been coming up continually ever since the Committee began to take evidence.

13013. Have you been attending the Committee every day?—Nearly so; I have had a cruise at sea since; I have been here when most of the Liverpool evidence was given.

13014. Mr. *Graves.*] Was not it the fact that you did not give your evidence in consequence of being advised by myself and others that it was not worth while taking up the time of the Committee, as other impartial witnesses had given all the information you could give?—Yes, that occurred at the meeting I spoke of.

13015. In London were not you advised that it was not desirable to take up the time of the Committee by calling any evidence on the part of the boatowners?—Yes.

13016. *Chairman.*] Then we have been fortunate enough to pick out the only two men who differ from you and the other pilots?—That is my opinion.

13017. Has there been any meeting of pilots since, the Bill has been discussed in Committee?—After Mr. Henry Jones, the pilot, gave evidence, I went down to Liverpool, as I was surprised to hear that there was one pilot in favour of non-compulsory pilotage, and I called a meeting of all the pilots on shore, and I got Mr. Bremner, our solicitor, to meet them and read Jones' evidence over to them; there were 84 pilots there; and at that time when we were all met together, and after Mr. Bremner, our solicitor, had read the evidence over to them, I put the question to them that if there were any there that had the same opinion as Mr. Henry Jones they were to signify the same by putting the right hand up, and there was not a right hand put up; but there were a great many dissentients from what was read who expressed their feelings.

13018. There was no resolution passed at that meeting, was there?—No, that was all that took place at that meeting.

13019. There was no discussion at the meeting as to the general effect of the Bill or what had taken place before the Committee?—No, the probable effect of the Bill had been discussed before, and we were decidedly against it.

13020. You simply called them together and read the evidence out, and asked them to hold up their hands, and nobody did hold up their hands?—That was only as to the evidence of Mr. Jones.

13021 You recollect that Mr. Beckett stated that a considerable change of opinion had taken place amongst the pilots, in consequence of evidence given before this Committee generally; has there been any meeting of pilots to ascertain whether their opinions remain the same or whether they are altered?—I think the pilots generally are of opinion that the evidence which has been given is rather favourable to us than against us.

13022. Mr. Beckett was giving a contrary version as to what the opinion of the pilots was?—There has been no meeting, with the exception of the one I spoke of.

13023. All that took place was, that Mr. Henry Jones' evidence was read over, and you then asked the men to hold up their hands, and they did not do it?—They expressed very strong terms against him for doing what he had done; some of them said that if he had been in Sheffield they would not have been answerable for his life if he had done such a trick.

13024. That may have deterred many of the men from holding up their hands at the meeting?—No, that was after the meeting.

Mr. Richard Williams, called in; and Examined.

Mr. *Williams.*

13025. Mr. *Graves.*] You are a first-class pilot of Liverpool?—Yes.

13026. Were you present at a meeting which was held on the 8th of March, and which was called by public advertisement?—I was not present at that meeting.

13027. Were you appointed by that meeting, in conjunction with Mr. Beckett, to come here to represent the views of the pilots of Liverpool?—I was appointed to assist Mr. Beckett to come up here, and advise with him as to the best to be done under the circumstances.

13028. In opposing the Bill?—Yes.

13029. For the whole of the pilots?—Yes.

13030. That was by a resolution passed at that meeting?—Yes, it was.

13031. Have you attended the various meetings of this Committee as representing the pilots of Liverpool?—I have attended this Committee at every meeting with reference to Liverpool, with the exception of the meeting when Henry Jones was examined.

13032. It was intended that you should give evidence before the Committee as to the views of the pilots in their determination to oppose the Bill; why did not you give that evidence?—Because I imagined that the subject was exhausted, and so did Mr. Beckett. In the first place, evidence as to the necessity of pilots, and the efficiency of the service in the second.

13033. Were not you advised by myself and others that it was not desirable to take up the time of the Committee, as your case was fully proved by others?—We were.

13034. But your wish was to give evidence, and you attended here day after day to give evidence

dence before the Committee?—I should have preferred giving evidence.

13035. Mr. Beckett yesterday in his evidence said that a good many pilots that he had spoken to shared in his altered views; are you aware from your position, representing the pilots of Liverpool, that that is so?—I have never heard anything of the sort.

13036. Are you aware of any one, besides those two men, who agrees in the principle of this Bill?—I have never heard another pilot, with the exception of those two men, say that he agreed with the present Bill, or with a non-compulsory system.

13037. Then he did not represent the views of the pilots of Liverpool in speaking here yesterday?—Not as they spoke to me with reference to the subject.

13038. Or according to the authority you have got?—No.

13039. Were you at the meeting called on the 30th of May last, at the Pier Head?—Yes.

13040. What took place at that meeting?—Mr. Jones' evidence rather took a great number by surprise, and we thought it better to call a meeting to see if there had been a material alteration in the views of the pilots generally. It happened to be tide time, and we mustered 84. The evidence of Mr. Jones was read over by Mr. Bremner, and he asked the meeting particularly had they come to any other conclusion than they had originally come to in the months of February, March, and April, and if so, to hold up their right hands, and there was not a hand held up.

13041. There was no dissent in that meeting?—The question was particularly put whether any alterations had taken place in their views.

13042. When did it come to the knowledge of the pilots that Mr. Beckett had changed his views?—I heard something of it about last Friday or Saturday.

13043. Did it excite much surprise amongst those pilots whom you mix with?—It did among some, but with others it did not.

13044. May the Committee now fairly assume that you are the only person now authorised by the pilots of Liverpool to state that they entirely disapprove of the principle of the Bill?—Mr. Beckett would have been if he had maintained his original views, but not having done so, and I never having had any orders to the contrary, I maintain that I represent them. The pilots of Liverpool from the first had made up their minds to sink all differences and oppose the Bill *in toto*.

13045. No pilot in Liverpool has ever intimated to you that he ceases to regard you as his representative before this Committee?—He has never done so.

13046. *Chairman.*] Mr. Beckett stated that he was still rather opposed to the Bill, and that if any change was made at all in the pilotage of Liverpool, or if any payment now made to the pilotage fund by vessels not bound to carry pilots was discontinued, he thought it would be better to adopt the voluntary system. Has that question been discussed by the pilots of whom you have spoken?—It has been discussed as a voluntary principle on both sides; that has been distinctly understood; meaning that I explained to the several meetings that it was never intended by the Bill that it should be voluntary on the part of the pilot.

13047. Has there been any discussion by the pilots of Liverpool as to the effect upon them and their system of any alteration of the law, not involving the absolute doing away with compulsion?—At several meetings we have had the question of clipping discussed. Our system of pilotage for a number of years has been a system of clipping, taking a little money off this and a little money off that; they have been reducing the pilotage instead of increasing it.

13048. Has there been any meeting of the pilots of Liverpool since this Bill has been discussed in Committee to ascertain their opinions of what would be the effect of still further clipping the pilotage of Liverpool?—Yes, there was a meeting in Clayton-square, at the Bee Hotel; there were 50 pilots present, as near as I can recollect, and that was after several meetings of the Committee here. I explained to them what had been said and done upon the occasion, and what steps had been taken, and they unanimously agreed that the only thing to do in the future was to remain stedfast upon the present compulsory system, and that no other one would suit their views.

13049. Did they take into their consideration the possibility of changes being made in the receipts which they now have from vessels which are bound to take pilots; for instance, the coasting passenger steamers?—The coasting passenger steamers do not take pilots at present.

13050. But they have to pay, have they not?—They pay a nominal sum of 1*s.* a foot.

13051. That forms a considerable sum altogether towards the pilotage?—£. 1,700 *l.* a year.

13052. Mr. Beckett said, that if the Bill did take away those sums, he thought, on the whole, that it would be better to adopt the voluntary system?—The Bill, as I read it, never contemplated the taking away of the 1 *s.* a foot on the coasting trade from us.

13053. Do not you think it possible that the other pilots, when they began to know the nature of the Bill, may have changed their opinions?—I confine myself particularly to the Bill and nothing else.

13054. From what you just stated, it does not appear that the pilots quite know what the Bill means to do?—I read it to them.

13055. With your explanation, they understood it, but before, they did not understand what it meant?—I read its meaning from the first, just the same as I read its meaning to-day, that it means a voluntary system on the part of an owner of a ship to take a pilot or not, but the compulsion, as far as the pilot is concerned, to remain on duty, will remain the same, whether employed or not.

13056. Can you tell the Committee what the reason is for the two classes of pilots wishing to be separately represented?—It never was intended at the commencement for Mr. Jones to come up here; Mr. Jones several times offered his services, but they were always declined.

13057. I am speaking of Mr. Davies and yourself; it seems the two classes of pilots met, and chose different pilots to represent them before this Committee; I ask why these different classes of pilots met separately, and wished to be separately represented?—In case the Bill should pass, and the question of compensation was brought on, that Mr. Davies should represent the owners for their part of the compensation, and Mr. Beckett should represent the journeymen for their portion of the compensation.

Mr. *Williams.* 15 June 1870.

13058. Will you undertake to say that there was no other reason for their meeting separately, and wishing to be separately represented?—Nothing but that suggests itself to me.

13059. Is there not a considerable difference between the two bodies of pilots with reference particularly to the ownership of the boats?—There always has been.

13060. And the pilots whom you represent, who are not owners of boats, look upon the ownership of boats with great dissatisfaction, do they not?—It is the same dissatisfaction as always exists, where it is capital *versus* labour.

13061. I only want facts; it is the fact, is it not, that there has been considerable dissatisfaction?—Among a few I have heard it mentioned, that they might receive a little more from the owners.

13062. Is it your opinion that if this Bill passes, it will inevitably lead to the breaking up the system of the ownership of the boats in Liverpool?—It will not only lead to that, but it will lead to the breaking up of the best pilots in Liverpool.

13063. I talk of the ownership of the boats; is it your opinion that it will necessarily lead to the breaking up of the system in Liverpool, under which the boats are now owned, if the Bill passes?—Decidedly, I think it will break them up, and break us up as well.

13064. Would it inevitably lead to the breaking up of the system of boatowning in Liverpool; is that your opinion?—I should have to consider it in two or three various ways.

13065. You have not considered it yet?—No.

13066. Supposing that it had that effect, should you look upon it with satisfaction?—No, I should not look upon the fall of anybody else with satisfaction.

13067. But you do not agree with the system of boatowning in Liverpool, do you?—I never embarked in it.

13068. And you join with the other pilots of the same class in their feeling of dissatisfaction with the system?—I never entered into conversation with them with reference to any question of that kind before coming up here.

13069. Do not you agree with the other pilots of your class, in looking with dissatisfaction upon the system under which the boats are owned in Liverpool?—If any man thought proper to purchase a share he could do so.

13070. But you have not thought it worth while to do so, and all the other 130 pilots have not thought it worth while to do so?—No.

31071. They look with dissatisfaction at the existence of a system under which a considerable portion of their earnings goes to the owners of the boats?—I will not pledge myself that the 130 men do that.

13072. But you look with dissatisfaction, do not you, upon the system by which a large portion of your earnings goes to the boatowners?—There is not so much goes to the boatowners, but it is an expensive establishment in other ways.

13073. A good deal goes for good-will, does not it?—No, in expenses that you cannot avoid in working the business, boat hire, and steamboat hire, and the necessary machinery for keeping the boats supplied with pilots.

13074. But a large portion goes to the owners of the boats in respect of the good-will which they have given for the boats, and that amount is deducted from the earnings of the pilots?—If I said that, I should say contrary to the evidence already given.

13075. I think you would be only giving evidence in accordance with that which has been already given?—If I had prepared figures as to that, I could answer you.

13076. Then you cannot answer the question?—No.

13077. You do not know whether the portion of your earnings which goes to the owners of the boats, is for the good-will?—It must be so.

13078. Do you look upon that with dissatisfaction or not; do you approve of the system under which a considerable portion of your earnings goes to the owners of the boats?—I am at a loss to know the per-centage of it; they say 9 or 10 per cent.; that is little enough.

13079. You know what it is?—I presume that is not much, if they only get 9 or 10 per cent.

13080. That is a wrong calculation; are you not aware that a very much larger portion of your earnings than 9 per cent. goes to the owners of the boats?—I think it is 25 per cent. It has been said in evidence that the gross is 25 per cent., but that the nett proceeds amount only to 9 or 10 per cent.

13081. Had not that been a ground of dissatisfaction among the pilots of your class?—Yes; that is when they have not looked into it properly; they show that the greater amount of the 25 per cent. goes for the working expenses, and the wear and tear.

13082. A great portion of it goes for the ownership of the boats, which is, in fact, the good-will given for the boats?—The good-will is the price of the shares.

13083. But for which there is no property representing it?—But there are a great number who still purchase shares in the boats, and they must do that with their eyes open.

13084. And that has been the ground of the dissatisfaction between the non-boatowners and the boatowners, has it not?—Yes.

13085. Is it your opinion that this Bill will have the inevitable result of breaking up the system of boatowning?—It is sure to do so.

13086. Is it not possible that many of the pilots, when they found that the Bill would have that result, may have looked with a somewhat different view upon the operation of the Bill, to what they held when they first entered into the question?—Up to Monday morning they had not.

13087. Mr. Beckett has stated otherwise; there has been no meeting of pilots on the subject, has there?—There has been no meeting.

13088. Since the first general meeting at which speeches were made, and resolutions come to, you do not know of any meeting except the one you told us of, at which Mr. Jones's evidence was read out?—That was the last public meeting.

13089. Have you had any special delegation from the pilots since Mr. Jones gave his evidence or since Mr. Beckett gave his evidence?—No different instructions have come to me from them.

13090. Sir *John Hay.*] I gather from what you have stated that you, representing the journeymen, would prefer to continue the present system, even though that present system causes you to pay a greater per-centage from your income to the boatowning pilots; you would continue

tinue to prefer the present system rather than throw it open altogether and do away with compulsory pilotage?—Yes.

13091. You have a little grievance against the boatowners; a sort of jealousy which frequently exists between labour and capital; if it is merely a trifling feeling of jealousy of that character you would rather preserve the present system than make the change which the Bill contemplates?—Yes; it is curious that they should make a concession to the boatowners on the 1st of January this year, and then so soon as May they should say they are dissatisfied with the amount they have received.

13092. You have heard of no change in the opinion of those you represent?—None.

13093. Mr. *Brassey.*] Is the ownership of the pilot-boats in the port of Liverpool confined to pilots?—It is confined to pilots and superannuated pilots.

13094. And in any case the class of boats necessary for the pilot service of the port of Liverpool would be of an expensive and costly character?—They would have to be a similar class of vessel to those now in use.

13095. And, as the boats would be costly, the pilots must submit to have deductions from their fees to preserve the class of boats?—Yes, unless they thought proper to invest in them themselves.

13096. In that case they would invest a large amount of capital?—Yes.

13097. You say that you have not invested in shares in these boats?—No.

13098. Were you deterred from doing so from the fear of legislation, or the excessive price of the shares?—There is a great risk attached to owning shares in a pilot-boat, and the prices are high, and the fact is that there has been so much legislation with respect to pilotage lately, and so many Acts of Parliament and bye-laws have been passed, that I was quite under the impression that we were perfect by this time; it is not safe to go very far in buying shares in boats.

LIST OF APPENDIX.

Appendix (A.)

PAGE

Papers handed in by Mr. T. H. Farrer - - - - - - - - - - - 507

Appendix (B.)

Paper delivered in by the Chairman :

Total Tonnage of Sailing and Steam Vessels Entered and Cleared with Cargoes, and in Ballast, at the Port of Liverpool, in each of the Years 1850, 1855, 1860, 1865, and 1868 - - - - - - - - - - - - - - - - - 557

Appendix (C.)

Papers handed in by Captain Sir F. Arrow, 8 April 1870 :

Return of the Number of Pilots, Average Earnings, &c., Licensed for the London District, as defined by the Merchant Shipping Act, 1854 - - - - - - - - 558

Return of Pilotage Districts (Trinity House); Number of Pilots, Average Earnings, and Extent - - - - - - - - - - - - - - - - - 559

Appendix (D.)

Paper handed in by Mr. R. P. J. Simpson, R.N., 6 May 1870 :

Return of all Complaints against Pilots by the Owners of Steam and Sailing Vessels for Negligence, &c. during the Years 1868 and 1869 - - - - - - - 560

Appendix (E.)

Paper handed in by Mr. Anthony Bannister, 13 May 1870 :

Requisition of certain Pilots of the River Humber - - - - - - - - 562

Appendix (F.)

List of Liverpool Pilots appointed for Special and Permanent Service in Steamers - - 563

Appendix (G.)

Paper handed in by Captain John Drew, 13 May 1870 :

Aggregate Return of the Tonnage of Sailing and Steam Vessels (including their repeated Voyages) that Entered and Cleared during the Years 1860 and 1868, at each of the following Ports - - - - - - - - - - - - - - - - 565

Appendix (H.)

Paper handed in by Captain John Rosser, 13 May 1870 :

Swansea Harbour, Rates of Pilotage - - - - - - - - - - 566

Appendix (I.)

PAGE
Mr. Hardy's Statement - - - - - - - - - - - - - - 568

Appendix (J.)

Port of Liverpool.—Returns for 1865 and 1869 - - - - - - - - - 572
List of Liverpool Pilot Boat Owners, February 1870 - - - - - - - - - 573
Return of Number, &c. of Liverpool Pilot Boats, April 1870 - - - - - - - 575
Number and Tonnage of Sailing and Steam Vessels which belonged to the Port of Liverpool in each of the last Ten Years - - - - - - - - - - - - - 576

Appendix (K.)

Papers handed in by Mr. Graves, M.P.:
Letter from Mr. MacIver to Mr. Graves, M.P., dated 13 June 1870 - - - - 576
Letter from Mr. John Wallace to Mr. Graves, M.P., dated 14 June 1870 - - - 579

Appendix (L.)

Statement of Vessels entering the Port of London which employed Pilots from Sea in the Year 1869 - - - - - - - - - - - - - - - - 580
Statement showing the Number of Vessels that entered the Port of London and paid Light, &c. Duties, during the Year 1869 - - - - - - - - - - - - - 580

APPENDIX.

Appendix (A).

PAPERS handed in by Mr. *T. H. Farrer.*

LIST OF PAPERS.

Page.

1. Memorial of Owners of Barges and other Craft navigating the Rivers Thames and Medway - - - - - - - - - - - - - - - - 508
2. Another Memorial from other Owners of Barges and other Craft navigating the Thames and Medway - - - - - - - - - - - - - - - 510
3. Letter from Mr. Lee, enclosing Return of Casualties suffered by above Memorialists, 4th April 1868 - - - - - - - - - - - - - - - 511
4. Letter from Mr. Lee, 10th September 1868 - - - - - - - - - 513
5. List of Legal Decisions as regards the liability of certain Vessels when in charge of a Compulsory Pilot. Furnished by Mr. Vernon Lushington - - - - - - 515
6. Letter from Mr. Seward to Mr. Clare Ford, 27th April 1865, relative to the American Law of Liability for damage done by a Ship with a Compulsory Pilot on board - 516

   Letter from Mr. Mandeville Carlisle, Legal Adviser to the British Minister at Washington, on same, 2nd February 1868 - - - - - - - - - 517
7. Decision of Supreme Court of the United States in the case of the "China" - - 517
8. Extracts from Judgment of Sir R. Phillimore, in the case of the "Halley" - - 522
9. Letter from Lord Lyons to Lord Stanley, 2nd January 1868, enclosing Report of the Legal Adviser to the British Embassy, as to the French Law on same subject - - 525
10. Letter from Mr. Speeding, North Channel Pilot, 28th February 1870, suggesting that the regulations for pilotage inwards from the Downs to London shall, for the benefit of Shipowners, be extended to the North Channel upwards, Orfordness to London - - - - - - - - - - - - - - - - - 526

    Letter from Secretary to the Trinity House on above, 11th March 1870 - - - 527
11. Case of the Gravesend Licensed River Pilots. Letter from Mr. Sharland, 14th March 1870 - - - - - - - - - - - - - - - - - 527
12. Points submitted by Deputation of Gravesend River Pilots, 11th March 1870 - - 528
13. Statement of the Trinity Sea Pilots - - - - - - - - - - - - - 530
14. Order in Council of 1st November 1862, confirming Pilotage Rates to be paid Trinity House Pilots for Pilotage in London District - - - - - - - - - 531
15. Order in Council of 26th June 1861, confirming Pilotage Bye-laws of the Mersey Docks and Harbour Board at Liverpool - - - - - - - - - - - - - 535
16. Order in Council of the 30th January 1854, as to reduction of Liverpool Pilotage Rates for Coasting Steamers - - - - - - - - - - - - - - 542
17. Correspondence in 1868, 1869, respecting Examination of Masters and Mates at Liverpool 542
18. Letter from Dublin and Kingstown Steam Packet Company, 17 July 1868, against their vessels being made liable to Compulsory Pilotage - - - - - - 550

    Correspondence between the Board of Trade and the Dublin Ballast Board on the subject 551
19. Petition of Shipowners and Master Mariners of the Township of Knottingley, in the Port of Goole, against Compulsory Pilotage - - - - - - - - - - 552
20. Return of Numbers and Earnings of Pilots at Compulsory and Non-compulsory Ports 553
21. Return from the Pilot Authorities of the Port of Dublin - - - - - - - 554
22. Memorial of Leith Chamber in favour of abolition of Compulsory Pilotage - - 555
23. Letter from Mr. R. Johns, complaining of Liverpool Compulsory Pilotage - - - 555
24. Letter from Mr. Part, asking to be heard in favour of the Bill, on the part of the Upper Mersey, 31st March 1870 - - - - - - - - - - - - - 556

Appendix (A).

PAPERS handed in by Mr. *T. H. Farrer.*

(No. 1.)

Appendix (A).

MEMORIAL of Owners of Barges and other Craft navigating the Rivers Thames and Medway.

To the Right Honourable the Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations.

The humble Memorial of the undersigned, being Owners of Barges and other Craft navigating the Rivers Thames and Medway,

Sheweth,

THAT your memorialists are owners of barges and other craft navigating the Rivers Thames and Medway, amounting in the aggregate to 135,000 tons and upwards.

That your memorialists beg respectfully to direct your Lordships' attention to the existing laws relating to pilotage as affecting your memorialists, the losses to which they and others are liable by the neglect or unskilfulness of pilots, and (in the present state of the law) the inability of those sustaining damage by reason thereof, to obtain compensation or redress.

That many of your memorialists being engaged in trade with works or manufactories on the Medway and wharves or places of business in London, have barges constantly running between their said manufactories and wharves, and others of your memorialists let out their barges for hire, and all which barges are in constant danger of and are frequently damaged or sunk by ships in the charge of pilots navigating the Thames.

That by the Merchant Shipping Act, 1854, sect. 379, certain ships when not carrying passengers are exempted from compulsory pilotage; but a large number of the ships navigating the Thames, and particularly steam ships, are not so exempt, inasmuch as they carry passengers.

That by the 354th section of the same Act, every home-trade passenger ship, unless the master or mate of such ship has a pilotage certificate, is bound compulsorily to take a pilot.

That by the 388th section of the same Act, no owner of any ship shall be answerable for any damage occasioned by the fault or incapacity of any pilot acting in charge of such ship, where the employment of such pilot is compulsory by law.

That by the 373rd section of the same Act, no Trinity House pilot (who by the 372nd section is required to execute a bond to the Trinity House for 100 *l.*) shall be liable for neglect or want of skill beyond the penalty of such bond, and the pilotage in respect of the voyage in which he is engaged.

That it follows from the sections of the Act referred to, that the owners of ships when compulsorily bound by law to take a pilot are not liable for any damage occasioned by the neglect or want of skill of the pilot when in charge, and that the liability of the pilot himself for any such neglect or want of skill is limited to 100 *l.*

That although the liability of the pilot is so limited, they are in fact men of small means, and when sued for the damage sustained frequently become bankrupt, and the unfortunate barge or ship owner is left to bear his loss, as the bond to the Trinity House mentioned in the 372nd section of the Act referred to is not taken for the purpose of securing the 100 *l.* the limit of the pilot's liability to any person suffering damage, but for the due observance by the pilot of certain bye-laws and regulations of the Trinity House.

That if the damage caused to a ship or barge amounts to a small sum and within the pilot's limit of liability, the owners of the ship doing damage, though denying their liability, sometimes adjust the claim and offer a sum (probably on account of the pilot) frequently not more than half the amount of the real damage sustained, and which sum it is considered expedient to accept rather than attempt to recover the full damages against the pilot, who as before stated is not worth suing.

That when the damages amount to a considerable sum neither the shipowner nor the pilot pay the same; the shipowner refusing on the ground of non-liability, and the pilot pleading his poverty and want of means.

As illustrating and supporting the foregoing statements and the course taken by the pilots on such occasions, your memorialists beg to state out of many, the facts of a single case.

In

Appendix (A).

In September 1864, a barge named the "Snodland," belonging to one of your memorialists (Messrs. Lee, Son, & Smith) laden with lime, in broad daylight, was run into and sunk in the Thames by the screw steamer "Sentinel," a passenger vessel plying between London and Newcastle, and then in charge of a Trinity House pilot named Benjamin Allen. The barge was much damaged and the cargo destroyed; the total loss sustained by the collision exceeded 250 *l.* The owners of the steamer denied their liability. The pilot admitted that the collision happened from the steamer having touched or "smelt" the ground, and cast no blame on the crew of the barge. He was sued for the amount of the damage. He did not plead to the action; but threatened through his solicitor that when the damages were ascertained by a jury he would become bankrupt. The damages were assessed by a jury at 252 *l.* 3 *s.* 3 *d.*, and with the costs of the action amounted to 291 *l.* 1 *s.* 7 *d.* Execution was issued against his goods, but on the day following the levy (as he had threatened) he became bankrupt, and there being no assets of any value, Messrs. Lee, Son, & Smith, will lose the entire amount of their damages and costs.

From the circumstances of this case it will be seen that Messrs. Lee, Son, & Smith have exhausted their remedies against the pilot, and have not succeeded in recovering from him even the sum of 100 *l.*, limited by the Section of the Act before referred to.

That on the same day and shortly after the collision with the barge "Snodland" above mentioned, the same steamer whilst in charge of the same pilot, on the same voyage, sunk the barge "Thomas and Sarah" belonging to your memorialist Henry Hughes, laden with bricks, but for the reasons before suggested he did not see the pilot, his damages amount to 240 *l.* and upwards, and are wholly unpaid.

That a loss of this nature to many persons being owners or part owners of a single ship or barge has been the cause of their utter ruin and bankruptcy.

That steam passenger vessels are frequently navigated recklessly with a view to accomplishing the voyage in the shortest possible time. That the Tyne Steam Shipping Company (the owners of the "Sentinel," the steamer before referred to) advertise that their "vessels are well known for their great speed, making the voyage in several hours less time than any other vessel on the station." That it is the practice for this and other companies owning several vessels, to contract with particular pilots for the pilotage of all their vessels. That the same pilot being constantly employed by the same Company, becomes, as it were, a servant of that Company, is imbued with the same desire to accomplish a rapid voyage; and is therefore less careful than he would be if he were casually employed. And it is believed that with the view of retaining the benefit of such an engagement he prefers to risk any amount of damage to any other vessel or craft (knowing the limit of his liability to be 100 *l.*), so that he save the vessel he is piloting from calamity and loss.

That your memorialists, therefore, venture respectfully to submit that the present law as to pilotage inflicts great hardship and loss upon your memorialists and others in their position, who are daily liable to frequent and repeated losses from collisions under circumstances such as those referred to.

That as by law the masters and mates of home trade passenger-ships must now be possessed of certificates of competency, your memorialists respectfully submit that compulsory pilotage may now reasonably be abolished; if so abolished the pilot, if employed, would then be the servant of the owner of the ship, and in cases of collision, your memorialists and others would then have their remedy against the owners of the ships with which the collisions happened.

Your memorialists therefore humbly request your Lordships' attention to the present inefficiency of the law for securing to owners of craft suffering damage from collision with a ship in charge of a pilot, the amount of such damage.

And that your Lordships will be pleased to recommend such alterations as to your Lordships shall seem meet, either by the abolition of compulsory pilotage, or by regulations by means of which the amount of damage sustained may be secured to those suffering such damage.

And your memorialists will ever pray, &c.

			Tonnage of Barges.
(signed)	*Lee, Son, & Smith*	London and Rochester	1,800
	William Vokins	London	2,700
	J. S. Jarvis	London	800
	Jno. & Wm. Eastwood	London	500

(And 128 other Owners, representing a Total of 135,795 tons.)

Appendix (A).

(No. 2.)

MEMORIAL of Owners of Sailing Barges and other Craft navigating the Rivers Thames and Medway.

To the Right Honourable the Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations.

The humble Memorial of the undersigned, being Owners of Sailing Barges and other Craft navigating the Rivers Thames and Medway,

Sheweth,

THAT your memorialists are owners of sailing barges and other craft navigating the Rivers Thames and Medway, amounting in the aggregate to 407,000 tons and upwards.

That your memorialists beg respectfully to direct your Lordships' attention to the existing laws relating to pilotage as affecting your memorialists, the losses to which they and others are liable by the neglect and unskilfulness of pilots, and, by reason of the present state of the law, the inability of those sustaining damage to obtain compensation or redress.

That many of your memorialists being engaged in trade, with works or manufactories on the Medway, and wharves or places of business in London, have barges constantly running between their said manufactories and wharves, and others of your memorialists letting their barges for hire, all which barges are in constant danger of and are frequently damaged or sunk by ships in the charge of pilots navigating the Thames.

That by the Merchant Shipping Act, 1854, sect. 379, certain ships, when not carrying passengers, are exempted from compulsory pilotage, but a large number of ships navigating the Thames, and particularly steam ships, are not so exempt, inasmuch as they carry passengers.

That by the 354th section of the same Act, every home trade passenger ship, unless the master or mate of such ship has a pilotage certificate, is bound compulsorily to take a pilot.

That by the 388th section of the same Act, no owner of any ship shall be answerable for any damage occasioned by the fault or incapacity of any pilot acting in charge of any such ship, where the employment of such pilot is compulsory by law.

That by the 373rd section of the same Act, no Trinity House pilot (who by the 372nd section is required to execute a bond to the Trinity House for 100 *l.*) shall be liable for neglect or want of skill beyond the penalty of such bond, and the pilotage in respect of the voyage in which he is engaged.

That it follows from the sections of the Act referred to, that the owners of ships when compulsorily bound by law to take a pilot, are not liable for any damage done by their ship when occasioned by the neglect or want of skill of the pilot in charge, and that the liability of the pilot himself for any such neglect or want of skill is limited to 100 *l.*

That on the occasion of damage, therefore, under the circumstances stated, the shipowner refuses to pay, on the ground of non-liability, and the pilot pleads his poverty and want of means.

That although the liability of the pilots is so limited, they are in fact men of small means, and when sued for the damage sustained frequently become bankrupt, and the unfortunate barge or ship owner is left to bear his loss, as the bond to the Trinity House mentioned in the 372nd section of the Act referred to is not taken for the purpose of securing the 100 *l.*, the limit of the pilot's liability, to any person suffering damage, but for the due observance by the pilot of certain bye-laws and regulations of the Trinity House.

As illustrating and supporting the foregoing statements, your memorialists beg respectfully to state the facts of four recent cases, out of very many, within their own experience and knowledge.

In September 1864, the barge "Snodland," belonging to one of your memorialists, laden with lime, was in broad daylight run into and sunk in the Thames by the screw steamer "Sentinel," then in charge of a Trinity House pilot named Benjamin Allen. The barge was much damaged, and the cargo destroyed. The loss sustained exceeded 250 *l.* The owners of the steamer denied their liability. The pilot was sued, admitted his liability, and did not plead to the action; but threatened that when the damages were ascertained, he would become bankrupt, and thus avoid the payment. The damages were assessed by a jury at 252 *l.*, and with the costs of the action amounted to 291 *l.* Execution was issued against the pilot's goods; but on the day following the levy (as he had threatened) he became bankrupt, and there being no assets, your memorialist lost the entire amount of his damages and costs.

That on the same day, and shortly after the collision with the barge "Snodland," the same steamer "Sentinel," whilst in charge of the same pilot, on the same voyage, sank a barge belonging to another of your memorialists, laden with bricks; but, from the result of the last case, he did not sue the pilot. His damages amount to 240 *l.* and upwards, and are wholly unpaid.

In April 1865, another barge, laden with lime, belonging to the same memorialist as the "Snodland," was, in broad daylight, in the Thames, at Limehouse Reach, run into and sunk by the screw steamer "Hibernia," then in charge of a pilot named Edward John Allen. The damage amounted to 301 *l.*, and the owners denied their liability. The pilot is not worth suing.

In

In August 1865, the barge "Belvedere," laden with cement, belonging to another of your memorialists, was, in the Thames, near Woolwich, run into and sunk by the screw steamer "Ibis," in charge of a pilot. The loss of the cement and damage to the barge amounted to 500 *l.* The owners denied their liability. The pilot admitted that he had miscalculated the quantity of water; that he foresaw that he must either run the "Ibis," which he was navigating, ashore, or run down a billy-boy at that time sailing near, or the barge "Belvedere," if he changed his course. He made his election, and determined to run into the barge, which he did. When applied to for the damage, he stated he possessed no effects, and with some difficulty 30 *l.* was obtained from him.

In all the cases before mentioned the ships carried passengers, and were therefore by law compulsorily bound to carry a pilot, and, according to the present state of the law, the owners were not liable.

From the circumstances of these cases it will be seen that in the first case your memorialist, although he exhausted his remedies against the pilot, did not succeed in recovering from him a single shilling, much less the sum of 100 *l.*, mentioned in the Act as the limit of the pilot's liability. And in the other cases the memorialists were deterred from proceedings which were costly and ineffectual, and bore their own losses.

That a loss of the nature referred to, to persons being owners or part-owners of a single ship or barge, has been the cause of their utter ruin.

That screw steam passenger vessels are frequently navigated recklessly, with a view to accomplish the voyage in the shortest possible time. That owners of the steamer "Sentinel," before referred to, advertised that their "vessels are well known for their great speed, making the voyage in several hours less time than any other vessel on the station." That it is the practice for this and other companies, owning several vessels, to contract with particular pilots for the pilotage of all their vessels, and their vessels only, and this at a reduced rate of pilotage. That the pilot being thus constantly employed by the same Company becomes, as it were, a servant of that Company, is imbued with the same desire as his employers to accomplish a rapid voyage, and is therefore less careful than if he were casually employed. It is believed that, with the view of retaining the benefit of such an engagement, he prefers to risk any amount of damage to any other vessel or craft (knowing his own inability to pay, and the non-liability of his employers for such damage), so that he save the vessel he is piloting from casualty and loss.

That your memorialists therefore venture most respectfully to submit that the present law as to pilotage inflicts great hardships and loss upon your memorialists and others in their position, who are liable daily to frequent and repeated losses from collisions with ships under circumstances such as those referred to.

That your memorialists respectfully submit that compulsory pilotage may now reasonably be abolished. That, as shown by your memorialists, its operation is unfair and unequal. If abolished, the pilot, if employed, would then be the servant of the owner of the ship, and, in cases of collision, your memorialists and others would then have the same remedy against the owners of the ships with which the collisions happened as the owners of those ships now have against your memorialists in the event of damage by reason of any unskilfulness on the part of those navigating the barges belonging to your memorialists.

Your memorialists therefore humbly request your Lordships' attention to the present inefficient state of the law for securing to owners of craft, suffering damage from a collision with a ship in charge of a pilot, the amount of the damage inflicted on them.

And that your Lordships will be pleased to recommend such amendments in the law as to your Lordships shall seem meet, by the abolition of compulsory pilotage, or by regulations with regard to pilots, by means of which damages sustained by reason of their unskilfulness or negligence may be secured to those suffering such damage.

And your memorialists will ever pray, &c.

			Tonnage.
(signed)	William Lee - - -	Rochester - -	2,500
	Knight, Bevant, & Sturge -	Northfleet - -	1,060
	Henry Everist - - -	Temple, Rochester -	2,300
	John Flower - - -	High-street, Bow -	2,500

(And 253 other Owners, representing a Total of 407,198 tons.)

(No. 3.)

LETTER from Mr. *W. Lee* to the Vice President of the Board of Trade.

Sir, Holborough, near Rochester, 4 April 1868.

ADOPTING the suggestion which fell from you on the recent presentation of a memorial by a deputation of barge owners on the Thames and Medway as to the present state of the law of pilotage, I have endeavoured to obtain a statement of the losses sustained by the memorialists within the last three years. I have had some difficulty in obtaining the information by reason of the occupations of the memorialists, many being absent; but

Appendix (A).

I send you a list of such of the losses as have to this time been supplied me, and I have reason to believe that there are numerous others. In many cases the loss happens under circumstances of peculiar hardship. You will see that the list now sent shows a loss of upwards of 6,000 *l.*, with only 660 *l.* actually recovered, and therefore showing, as I submit, a case of substantial grievance.

I have, &c.
(signed) *William Lee.*

The Right Hon. Stephen Cave, M. P.,
Vice President,
Board of Trade, &c. &c. &c., Whitehall.

In the Matter of a Memorial of Owners of Sailing Barges and other Craft navigating the Rivers Thames and Medway, as to the present state of the Law of Pilotage presented to the Board of Trade, 5 February 1868.

RETURN of CASUALTIES suffered by MEMORIALISTS.

Date of Collision.	Name of Barge.	Name of Ship in Collision.	Name of Pilot.	Amount of Damage.	Amount Recovered (if any).	Amount Unrecovered.	Name of Memorialist.
1864:				£. s. d.	£. s. d.	£. s. d.	
September	Snodland	Sentinel	Benjamin Allen	291 – –	nothing	291 – –	William Lee.
1867:							
24 April	Urgent	Hibernia	Edward John Allen	301 – –	nothing	301 – –	William Lee.
15 December	Christiana and Samuel	Leda	Richard West	284 – –	nothing	284 – –	William Lee.
1868:							
30 January	Peace	Pizarra	Warner	1,000 – –	nothing	1,000 – –	Thorne, Hart & Co.
16 February	Napier	Gosforth	Pattison	3 – –	nothing	3 – –	"
1867:							
5 July	Railway	Grenadier	Richard West	645 16 7	nothing	645 16 7	Henry Everist.
11 November	Mary	Cormorant	E. Voss	25 – –	nothing	25 – –	"
8 September	Venus	Fusilier	John Evans, junior	600 – –	nothing	600 – –	
3 August	Belvedere	Ibis	Edward Voss	500 – –	30 – –	470 – –	Knight, Bevan and Sturge.
1863:							
18 April	Breakwater	Sentinel	– – –	210 – –	nothing	210 – –	"
1867:							
October	Mary	Henry and Jessie	– – –	550 – –	nothing	550 – –	John Hills.
July	Thomas	Paraguay	J. Cooper	330 – –	150 – –	180 – –	"
October	Carry	Charente	Robbins	485 19 –	400 – –	85 19 –	
1865:							
November	East Kent	Oscar	Benjamin Allen	250 – –	nothing	250 – –	R. J. Lines.
"	Jones	Britannia	W. C. Warner, senior	151 10 –	50 – –	101 10 –	
	Prince of Wales	Alford	Patterson	60 – –	nothing	60 – –	J. D. Drake.
	James and Sarah	Norman	Allen	80 – –	nothing	80 – –	"
September	William and Elizabeth	Oscar	– – –	75 – –	nothing	75 – –	
December	Henry	Seine and No. 2.	– – –	35 – –	22 10 –	12 10 –	
July	Thames Navigation	Southland	John Bradley	42 – –	nothing	42 – –	A. Horsnaill.
1864:							
September	Earl Mansfield	Lion	– – –	24 – –	nothing	24 – –	
1868:							
January	Maria	Camilla	– – –	33 11 –	nothing	33 11 –	Hind & Co.
1867:	True Friends	Dundee	Allen	16 – –	8 – –	8 – –	F. Williams.
1865:							
October	Edward	Cormorant	Edward Ross	8 – –	nothing	8 – –	H. Porcas.
	Pride	Pilot	– – –	2 – –	nothing	2 – –	
1867:							
December	Pride	Not known	– – –	1 15 –	nothing	1 15 –	
			£.	6,004 11 7	660 10 –	5,344 1 7	

(No. 4.)

LETTER from Mr. *W. Lee* to the Vice President of the Board of Trade.

Sir, Holborough, near Rochester, Kent, 10 September 1868.

REFERRING to the Memorial of the "Owners of Sailing Barges and other Craft navigating the Rivers Thames and Medway," on the present unsatisfactory state of the law of pilotage, presented to the Board of Trade on the 5th February last by a deputation which I, with other Members of Parliament, had the honour to introduce to you, I think it right to convey to you the results of two actions brought by me since the presentation of that memorial, for damages sustained by me by collisions with ships in the charge of pilots, as further illustrating the hardships complained of in the memorial, and the inability of persons suffering such damage to obtain any redress, or recover the amount of their losses either from the owners of the ships or the pilots themselves. The cases were as follows:

In April 1867, my barge the "Urgent," in broad daylight, brought up in the River Thames to receive orders near the Commercial Docks, when she was run into by the screw steam passenger ship the "Hibernia," plying between London and Dundee, of 180 horse-power, and carrying passengers, and therefore compulsorily bound by law to carry a pilot; the crew saved their lives with difficulty; the barge was nearly cut in two; was very seriously damaged, and sunk, and the cargo of lime on board completely destroyed.

It will readily occur to you that, although in the case of such a collision as that referred to, the persons on board the barge might have a strong belief that the collision occurred by reason of the wilfulness or unskilfulness of the pilot, yet the state of the law is such, that even though a ship compulsorily bound by law to take a pilot may do damage, yet if it appear that the collision occurs by reason of a want of a good look out, or some other dereliction of duty on the part of the master or crew of that ship, then the pilot is not liable, although he may have the care, and be directing the navigation of the ship. The question of negligence by the crew or pilot is therefore a point very difficult for persons not on board the ship with the pilot to ascertain.

Although pretty well sure that in this case the pilot was to blame, I thought it right to sue the owners of the "Hibernia" for the damage sustained, which would give the pilot an opportunity of giving his evidence as to the cause of the collision, before the tribunal best fitted for the adjudication of such cases, namely, the Admiralty Court, a Court as you are aware having peculiar cognizance of such matters, the judge being assisted on the trial by two of the Trinity Masters, and infinitely more fitted for the trial of such questions than a judge and jury.

The cause was heard on the 28th and 29th days of January last; the pilot, Edward John Allen attended as a witness, and gave his evidence on behalf of the owner of the "Hibernia," and the judgment of the Court was "that the collision was occasioned by the fault or incapacity of Edward John Allen, a duly licensed Trinity House pilot, who was at the time acting in charge of the steam vessel "Hibernia," and that the "employment of the said pilot was compulsory by law," and the defendants, the owners of the "Hibernia," were accordingly dismissed from the cause, but the Court made no order as to costs.

The result of this suit therefore was (as I had anticipated), that the owners and crew of the "Hibernia" were absolved from blame; the pilot was found to be the only person in fault, and I had to pay my own costs of the suit in the Admiralty Court, which will probably amount to 150 *l.*

I determined to exhaust my remedies for the damage I had sustained, and I therefore wrote to the pilot for payment of the damages which the Court of Admiralty had determined had occurred by reason of his carelessness or want of skill. No expression of regret was ever made by the pilot, nor any offer of terms, either for payment of the whole, or any part of the damages; not even to the limit of his bond, as provided by the 373rd section of the Merchant Shipping Act, 1854; and I therefore brought an action at law against him in the Court of Common Pleas to recover the amount of such damages.

I did expect, after the decision of the Court of Admiralty, that at least the pilot would not have disputed his liability to pay the amount of the damages, but in this I was disappointed, for he appeared in person to the action, and pleaded that he was "not guilty." The consequence of that plea being, that I was compelled for a second time to carry the cause down to trial, with my crew, my bargebuilder, and other witnesses to prove my case; when, after several days attendance at Westminster, the pilot not then appearing to defend the action, a verdict was found in my favour for 196 *l.* 10 *s.* damages, and the costs of the action were afterwards taxed at 46 *l.* 13 *s.* 8 *d.*, making my damages and costs, as allowed by the jury and master, 243 *l.* 3 *s.* 8 *d.*, and this in excess of my own costs which I have to pay of my suit in the Admiralty Court.

I now think it right to show you fully the tactics adopted by the pilot to evade the payment of the damages and costs recovered against him. The date of the verdict was the 2nd May 1868; three days afterwards, the pilot, for the express purpose of evading payment, became bankrupt on his own petition, and notice of that bankruptcy appeared in the London Gazette of the 8th May; the pilot had, however, been a little too precipitate in his proceedings, and as the costs in the action were not taxed and ascertained until the 1st June following, by taking advantage of a pure technicality (which I felt justified in doing), I was, notwithstanding the bankruptcy, entitled to, and did arrest the defendant for the 243 *l.* 3 *s.* 8 *d.* I had so recovered against him, and he was at my suit sent to Maidstone Gaol. He applied to a Judge at Chambers for his release from custody, but the

Appendix (A).

Judge was of opinion that the arrest was regular, and dismissed the application with costs, which costs were afterwards taxed by the Master, and allowed to me at 4 *l.* 8 *s.* 6 *d.*

The pilot then applied to the county court judge at Maidstone to be again adjudicated bankrupt, and to be released from custody at my suit, on the 13th July 1868, but the judge of that court decided that under the circumtances he had no jurisdiction, and the pilot was again sent back to prison.

The pilot then presented in the London Bankruptcy Court another petition for adjudication, and on the 24th July applied under that petition for his discharge, when the Commissioner, upon my opposition, refused to entertain that application until his first bankruptcy was disposed of, and the pilot was again sent back to prison.

I then had an appeal from the wife of the pilot, and feeling that I had at least shown him that the law was at least strong enough to put him to inconvenience, if not to compel him to pay the amount of the damage, and having been assured that he was without the means of payment, and from feelings of compassion for his wife and family, I consented to his release from custody, and he was accordingly discharged from prison by my consent. What has been the result of his several subsequent applications to the Court of Bankruptcy under his proceedings therein, I know not, except that the proceedings disclosed that there was no chance of a dividend.

You will see that though the pilot made me no offer of any sum whatever in part satisfaction or payment of my damages, yet that he found means to pay for professional assistance to defend the action, to pay the expences of two adjudications against himself, an abortive application to the county court judge to be declared bankrupt, and of an application to a Judge at Chambers to set aside the execution I had issued against him.

The facts of the other collision are, perhaps, more flagrant than in the case last-mentioned; the result very similar, but more simple in detail.

On Sunday the 15th December 1867, at one o'clock, in broad daylight, two of my barges, called the "Christiana," and the "Samuel," were with others moored in Limehouse Reach, attached to moorings laid down by the Conservators of the River Thames, and to which my barges were especially directed by Captain James, the harbour master, to attach when lying to. Whilst so moored, they were run into by the screw steam Passenger Ship "Leda," plying between London and St. Petersburgh, compulsorily bound by law to carry a pilot, and then in charge of a Trinity House pilot, named Richard West. The screw struck the "Christiana," forced her from the moorings some distance, and sunk her; also damaged the rigging of the other barge, the "Samuel." The crew of the "Chistiana" saved their lives with some difficulty, and the master has ever since the collision been unable to follow his occupation. The "Christiana" was laden with lime, and the amount of my loss was, in the whole, 284 *l.* 11 *s.*

It will be seen that in this case there could be no question as to whether there was any fault on the part of my crew in navigating the barges, as they were, as before stated, moored at buoys laid down by the proper authorities, and a collision must have happened from sheer recklessness on the part of those navigating the "Leda."

I applied to the owners of the "Leda" for payment of the damages sustained; they repudiated their liability, and referred me to the pilot. I then applied to the pilot West; he replied that in his opinion the owners of the "Leda" ought to pay, as he was not paid the full pilotage money for piloting the ship, but made no offer or attempt at settlement. I therefore brought an action against the pilot: he appeared by a solicitor, and pleaded to the action that he was "not guilty," with an intimation that he would defend in person, as he denied his liability, but should I recover judgment, it would not avail me, as he was utterly destitute of means. I was not deterred by this communication, and at some expense carried the cause to trial, and after several days attendance at Westminster, with my crew, barge builder, and the harbour master of the Port of London, and others, as witnesses, I obtained a verdict for 267 *l.* 9 *s.*, the pilot appearing in person at the trial, not denying the facts, but stating it was a hard case upon himself, and that the shipowner ought to be liable. The jury appeared to be of that impression, and hesitated before giving me a verdict, and did not do so, until they had appealed to the judge (The Hon. Mr. Justice Keating) presiding at the trial, for a direct intimation from him, that under the circumstances the owners of the "Leda" were, at law, not liable for the damage, and the jury remarked that it was a hard case upon the pilot. The costs of the action when taxed amounted to 54 *l.* 10 *s.*, and my total damages therefore, in this case, amounted to 321 *l.* 19 *s.*

The cause was tried on the 28th May 1868, and the pilot became bankrupt, and was gazetted on the 12th June 1868.

The pilot instructed the same solicitor in his bankruptcy, as Edward John Allen, the pilot referred to in the other collision, and he having learnt experience from the course of my proceedings with his other client, discovered the technicality under which I was enabled to arrest the pilot Allen, notwithstanding his bankruptcy, and finding that the pilot West was liable to the same risk, he made him a second time bankrupt, and he accordingly was again adjudicated bankrupt on his own petition, on the 27th June, and having obtained on this second bankruptcy protection from the Court of Bankruptcy, I was unable, as I should have done, to arrest him for the damages I had sustained.

There are no assets in either of the bankruptcies referred to, and the damages and costs in both actions, amount, as will be seen, to over 570 *l.*, of which I have not received one shilling. The damages referred to do not nearly cover the whole of the damages accrued in either of the collisions; as there are many items, such as loss of the use of barge for

for the time it is disabled, and other matters, which the law considers too remote to be recovered against a defendant in such a case. My whole damages and costs, and expenses I have been put to in the matter detailed in this letter, cannot fall far short of 800*l.* or 900*l.*

I have thought it right to detail thus fully my own experience in the matters, the subject of the memorial referred to at the commencement of this letter; and as they are matters which have occurred, or at any rate been completed, since the presentation of that memorial, I venture respectfully to bring them to your notice and attention, as they corroborate the statements of the memorialists, and forcibly show the very unsatisfactory state of, and the necessity for some alteration in, the law, as to compulsory pilotage, by which a better remedy may be secured to those on whom damages are inflicted, than at present exists.

I cannot but feel forcibly that in the two cases of collision I have mentioned, the owners of the two screw steamers, who in other respects had the advantage of the services of the pilot in the care and navigation of their vessels, ought to have borne the damages incurred by such collisions, rather than myself, who derived no benefit or advantage whatever from the fact of such pilot being employed, and that my remedy should not be affected by the circumstance that the ship running down my property is, or is not, bound to take a pilot, a question determined by accident, and frequently a subject of nice questions of law.

I cannot conclude this letter without directing your attention to the mode in which these claims are met by the pilots themselves. It will be seen that when a claim is made upon them, they immediately threaten bankruptcy; when it is prosecuted they vexatiously defend the action to the last, necessitate the calling of witnesses at great expense to prove the circumstances of the collision, which they know was caused by their own negligence, and which they do not attempt to justify at the trial; and when judgment is obtained against them, they, by every trick and device, manage to evade payment. And although they describe themselves as being utterly without means, and make no offer of compromise, or attempt at a settlement, yet are enabled to provide the necessary funds to defend the actions, and to pay the costs of two, and even three bankruptcies, if necessary, to enable them to evade the payment of a sixpence to the person whose property is damaged by their recklessness.

Apologising for the length of this letter, and trusting the importance of the subject on which I write will be my justification,

I have, &c.
(signed) *William Lee.*

To the Right Hon. Stephen Cave, M.P.,
Vice President, Board of Trade,
&c. &c. &c.

(No. 5.)

List of Legal Decisions as regards the Liability of certain Vessels when in charge of a Compulsory Pilot. Furnished by Mr. *Vernon Lushington.*

"Borussia," Swabey, 94.

Ship in charge of a compulsory pilot.

Held, that it was imprudent to move her from dock to dock by a steam tug at night; and that for this the owners were liable.

"Carrier Dove," Browning.—Lushington, p. 113 (1863.)

The improper navigation of the defendant's vessel consisted in getting under way for the purpose of docking, under circumstances which rendered that proceeding dangerous to other vessels, and the defendant only proved that the pilot as well as the captain, was on deck giving general orders, but did not prove the particular order, nor produce the pilot as a witness. Held defendant remained liable.

"Christiana," 7 Moore, P. C., 160. 1850.

Ship held liable for not striking top gallant yards and masts, while at anchor in the Downs.

"Mobile," 10 Moore, P. C., 467. 1856.

Pilot left dock, while he was below the difficulty occurred, and the mistake was made. Ship held liable.

"Argo," Swabey, 462. 1859.

Ship would be liable if collision caused by ship not being in ordinary safe trim, and so not answering her helm duly.

"Batavia," 1 Spinks, 378. 1854.

Pilots sole duty to regulate speed and course.

"Julia," Lushington, 224. 1861.

Pilot on deck; master permitted a tug to make fast without informing the pilot. Defendants held liable.

Appendix (A).

"Lizzie Aisbitt." 1867.

Ship in tow of a tug coming up the Thames in daylight. Pilot on forecastle. The tug, (which usually takes her own course, but is bound to obey pilot if he does give orders) without orders ported by a mistake in judgment. Defendants held liable.

"Iona," 4, Moore Rep., N. S., Privy Council, 336.

Collision in daylight in Thames; pilot on bridge. Ship held liable for deficient look-out.

"Gipsy King," 2 W. Rob. 537. 1847.

Pilot's province to see to proper calling of anchor.

"Lochlibo," 3 W. Rob. 310. 1850. Affirmed 7 Moore, P. C., 430.

Pilot's province to determine whether safe to proceed.

"General de Caen," Swabey, 9. 1855.

Foreign ship. Pilot induced master to employ waterman who undestood English to take wheel. Ship held liable for waterman's fault.

"Velasquez," 4 Moore, P. C., New Series, 426. 1867.

By pilot's own evidence and the crew of the ship, the strange vessel was reported to him, and he saw it in time to take all proper measures to avoid collision. Evidence disbelieved, and ship held liable.

"Schwalbe;" Lushington's Rep. 239. 1861.

Defendant's vessel charged with improperly starting, defendants denied starting, and gave evidence that the helm was ported only, and by the pilot's order. The Court found that the helm was improperly starboarded. Defendants held liable.

(No. 6.)

LETTER from Mr. *W. H. Seward* to Mr. *F. Clare Ford.*

Department of State, Washington,
27 January 1865.

My dear Sir,

I HAVE given careful consideration to the note which you addressed to me on the 4th instant, and by which, under Lord Stanley's instruction, you expressed a desire to learn from this department how the law stands in the United States upon the question therein stated, namely, whether in cases where the owner of a ship is compelled by law to employ a pilot, that ship or her owner, is or is not, according to the law of the United States, liable to pay for damage occasioned by her when she is in charge of, or managed by such pilot.

You will please inform Lord Stanley that the United States have no Statute upon the subject of your inquiry; nor have we any express decision upon that subject by our Court of last resort.

In regard to municipal law, no department of this Government has authority to declare what is the existing law in the absence of a Statue, or judicial decision by the Court of *dernier resort.*

Under these circumstances, all that I can do is to refer you to the opinion of test writers of repute, and their comments on the decisions in our State Courts and the subordinate Courts of the United States.

Professor Parsons, in his Treatise on Maritime Law, vol. i., pages 484 to 489, and Mr. Curtis, in his treatise on the Rights and Duties of Merchant Seamen, page 196, have collected cases, English and American, as well on the general question which you propound, as also on the subordinate one, what constitutes the compulsory employment of a pilot. The latter question seems to be involved in more doubt in this country than in Great Britain, and it might well happen that our Courts would not hold the employment compulsory, so as to exempt the owners upon the general principles of equity, while, at the same time, precisely similar employment would be deemed to work exemption under the terms of the British Statute.

The uncertainty of the law and the possibility of conflict in regard to the rights and liabilities of merchant seamen to which my attention has thus been directed, are so grave that occasion will be taken to call the attention of Congress to the matter.

Regretting my inability to give a more conclusive answer to your inquiry,

I am, &c.
(signed) *Will. H. Seward.*

Francis Clare Ford, Esq.,
&c. &c. &c.

LETTER from Mr. *T. Mandeville Carlisle*, Legal Adviser to the British Minister at Washington, to Mr. *F. Clare Ford*.

My dear Sir, Washington, 2 February 1868.

I RETURN herewith the papers received in your note of yesterday.

Nothing occurs to me as useful to be added to Mr. Seward's observations, except to refer to the case of Smith *v.* Condry, 1 Howard's Supreme Chancery Reports, p. 28, the only case upon the subject which I remember to have come before the Supreme Court.

It was the case of a collision between two American ships, one of them coming out of the Port of Liverpool, and the other lying in the Mersey.

The offending ship was in charge of a pilot, in obedience to the Act of Parliament specially regulating the Port of Liverpool in that particular, 37 Geo. 3. This Statute held by the British Courts not to have been repealed by the subsequent general Acts, contained no provision exempting the owners from liability occasioned by the unskilfulness of such pilot. The precise question was whether, without such express exemption by Statute, it followed from the requirement to take a pilot on board. The Supreme Court, following the case of Carruthers *v.* Sydebotham, 1 M. & S. 77, and other cases cited by Taney, C. J., in the opinion, held the owners exempt from liability.

It is true that the case goes upon the authority of the British cases upon the British Statutes; but I think it may, perhaps, be inferred that the reasoning of those cases was entirely satisfactory to the Court, and would be adopted in cases coming under the Pilot Acts of the several States requiring the employment of pilots.

These State Statutes are held constitutional in the absence of any general Act of Congress covering the subject under the power to regulate commerce, which is exclusive from the moment of its exercise by Congress.

Undoubtedly Mr. Seward's views are very just, in looking to the passage of an Act of Congress to remove all doubts.

G. T.

I am, &c.
(signed) *T. Mandeville Carlisle.*

Francis Clare Ford, Esq.,
&c. &c. &c.

(No. 7.)

CASE OF THE SHIP "CHINA."

SUPREME COURT OF THE UNITED STATES.

No. 21.—DECEMBER TERM, 1868.

The Steamship "China," her tackle, etc., the British and North American Royal Mail Steam Packet Company, Claimants, Appellants, *v.* Louis Walsh and Benjamin Carver.	Appeal from Circuit Court of the United States for the Southern District of New York.

Mr. Justice SWAYNE delivered the opinion of the Court.

THIS is a case arising out of a collision between the steamship "China," a British vessel then leaving the port of New York for Liverpool, and the brig "Kentucky," then on a voyage from Cardenas to New York. The facts are few and undisputed. The collision occurred on the 15th of July 1863, a short distance outside of Sandy Hook. The brig was sunk. The steamship was wholly in fault. It was not alleged, in the argument here for the appellants, that there was either fault or error on the part of the brig.

The case turns upon the effect to be given to the Statute of New York, of the 3d of April 1857.

At the time of the collision the steamship was within the pilot waters of the port of New York; and was in charge of a pilot, licensed under this Act, and taken by the master pursuant to its provisions.

The pilot's orders were obeyed, and the catastrophe was entirely the result of his gross and culpable mismanagement.

No question was made in the argument, upon the subject; the evidence is too clear to admit of any.

There are all the facts material to be considered.

The questions with which we have to deal are questions of law. No others arise in the case.

It is insisted by the appellants that the Statute referred to compelled the master of the steamship to take the pilot, and that they are therefore not liable for the results of his misconduct.

British adjudications are relied upon in support of both these propositions.

In order to appreciate these authorities, the British Pilot Acts must be understood.

They are the 52 Geo. 3, c. 30; the 6 Geo. 4, c. 125; the Shipping Act of the 17 & 18 Vict. c. 104; the Liverpool Pilot Act of 37 Geo. 3, c. 789, and the Newcastle Pilot Act of the 41 Geo. 3, c. 86. The three first mentioned contain equivalent provisions. The same remark applies to the two latter. The former all contain a clause to the effect that "the owner or master of any ship shall not be answerable for any loss or damage occasioned

Appendix (A).

by the neglect, default, incompetency, or incapacity of any licensed pilot." The latter contain a system of local pilot regulations, but have no such provision. They require that a pilot shall be taken, and if not taken, that pilotage shall, nevertheless, be paid. In these respects, and in most others, they are substantially the same with the Statute of New York.

I. Was the steamship compelled to take the pilot ?

In the case of the "Maria," in which the Liverpool Pilot Act was was largely considered, Dr. Lushington said :

"It never was decided that a clause requiring a pilot to be taken on board, or if not taken, the pilotage to be paid, was not compulsory. * * * Now the Liverpool Pilot Act provides for three cases : 1st. The case of vessels homeward bound ; 2nd. of vessels outward bound ; and lastly, of vessels lying at an anchorage ; and with reference to homeward bound vessels, it is provided in the 24th section of the Act, that if the master refuses to take a pilot on board, he is liable to the payment of pilotage. There is, therefore, this distinction in the two cases : that in the case of a vessel at anchor, the taking of the pilot on board is perfectly optional with the master, but in the case of a homeward bound vessel, it is enjoined upon him by the provisions of the Act, and if he refuses so to do, he is rendered liable to the payment of the pilotage dues. This, in my opinion, amounts to compulsion to take such pilot on board, and it was so held by the learned judges by whom the case of Sidebotham *v.* Caruthers was decided. What says Mr. Justice Le Blanc ? 'It appears that the master was compellable to take the pilot on board, and it was in consequence of his misconduct that the vessel was placed in such a situation, that when the water left her, she fell upon her side and thus the damage happened.' Without going further into the case, it is sufficient to observe, that Lord Ellenborough and Mr. Justice Bailey were of the same opinion, that the master was compellable to take the pilot on board."—(1 Wm. Rob. 95).

Other authorities to the same effect might be referred to, but it is deemed unnecessary, The one we have cited is sufficient.

Suppose the New York Statute, in the event of a refusal to take a pilot on board, instead of full pilotage had given the vessel or cargo to the pilot.

Whether the amount to be paid were large or small, it would operate in the same way, and involve the same principle. The difference would be not in the fact but in the degree of compulsion. If it be said the master had the option to pay the pilotage and proceed without the pilot, the answer is, that he would have had the same option if the consequence had been fine and imprisonment, or the visiting upon him of any other penal sanction.

In each case there would be compulsion, measured in its force by the means prescribed to make it effectual. A duty is enjoined and an obligation is imposed. The alternatives presented are to receive the pilot; or to refuse and take the consequences.

In this connection it is proper to consider the particular provisions of the New York Statute. It enacts that the master "shall take a liscensed pilot ;" that in case of refusal, pilotage shall be paid, and that it shall be paid to the first pilot offering his services. Any person not holding a license under this Act, or the law of New Jersey, who shall pilot or offer to pilot any vessel to or from the port of New York, by way of Sandy Hook, except such as are exempt by virtue of this Act ; or any master on board a steam-tug who shall tow such vessel without a licensed pilot on board, shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days ; and all persons employing a person not licensed under this act, or the law of New Jersey, are subjected to a penalty of one hundred dollars.

It was contended by the counsel for the appellee, that if the master had chosen to proceed without a pilot, he would have been liable only to the payment of pilotage ; and that none of the other penal provisions of the Statute, according to its true meaning, apply in such a case. We have not found it necessary to examine this subject. Giving to the Statute either construction, it seems to us clear, in the light of both reason and authority, that the pilot was taken by the steamship upon compulsion.

II. This brings us to the examination of the second proposition :—

Does the fact that the law compelled the master to take the pilot, exonerate the vessel from liability.

The immunity of the wrong-doing vessel when the pilot is in charge, and alone in fault, is now well settled in English jurisprudence, both in the Admiralty Court and in the courts of common law.

The rule must necessarily be the same in both. In such cases the liability of the ship and of the owner are convertible terms. The ship is not liable if the owners are not; and no responsibility can attach to the owners, if the ship is not liable to be proceeded against.

The "Druid," 1 Wm. Rob. 399.

Some of the leading English cases will be adverted to according to the order of time in which they were determined.

The case of "The Neptune the 2nd" was decided two years after the passage of the Statute of 52 Geo. 3.

In that case Sir William Scott said : "If the mere fact of having a pilot on board and acting in obedience to his directions, would discharge the owner from responsibility, I am of opinion that they would stand excused in the present case. I think it is sufficiently established in proof, that the master acted throughout in conformity to the directions of the pilot.

pilot. But this I conceive is not the true rule of law. The parties who suffer are entitled to have their remedy against the vessel that occasioned the damage, and are not under the necessity of looking to the pilot, from whom redress is not always to be had, for compensation. The owners are responsible to the injured party for the acts of the pilot, and they must be left to recover the amount as well as they can, against him. It cannot be maintained that the circumstances of having a pilot on board, and acting in conformity to his directions, can operate as a discharge of the responsibility of the owners."

The Statute is not adverted to in the case.

In The Attorney General *v.* Case, 3 Price, 303, it was held by the Court of Exchequer, that the case was to be determined under the Liverpool Pilot Act, and that the Statute containing the clause of exemption did not apply; that the vessel being at anchor, it was optional with the master to take a pilot or not, and that the vessel was therefore liable. It was strongly intimated that if she had been under way, and the pilot had been taken under the Liverpool Act, there would have been no such compulsion as, upon general principles, would have exonerated the vessel from the responsibility.

In Caruthers *v.* Sidebotham, 4 M. & S., 88 the Court of King's Bench held that the pilot was compulsorily taken, and that independently of the Statute giving the exemption, the vessel, upon general principles of municipal law, was not liable. The Attorney General *v.* Case, was refered to in the argument. The ruling of the Court was in direct antagonism to the intimations in that case.

The "Girolamo," 3 Hagg. 169, was decided by Sir John Nichol. He held, among other things, that the provision in the 6 George 4, that "the Act should not affect or impair the jurisdiction of the High Court of Admiralty," limited the operation of the clause of exemption to proceedings *in personam* in the common law courts, and left the Admiralty jurisdiction to be exercised in all respects as if the exemption in the Statute had not been enacted. The judgment is a very elaborate one. The vessel was held liable, although in charge of a licensed pilot at the time of the collision.

This case was followed by the "Baron Holby," 3 Hagg. 244; the "Gladiator," 3 Hagg. 340; and the "Eolidas," 3 Hagg. 367—decided by the same judge in the same way.

So the English law stood until the decision by Dr. Lushington in the case of the "Protector," 1 Wm. Rob. 45.

In that case the subject was examined with great care and fullness of research. The learned judge expressed the opinion that Sir Wm. Scott had decided the case of the "Neptune," the second, in entire ignorance of the statute of 52 Geo. 3, c. 39, and that the case, therefore, was not authority.

He overruled the judgment of Sir John Nichol as to the effect of the jurisdiction clause of the Statute, and held the true rule to be, that the Statute took away the responsibility of the vessel whenever the accident was imputable to the fault of the pilot alone. The court found the fact so to be, and upon that ground dismissed the owner of the "Protector" from the suit.

In the "Maria," 1 Wm. Rob. 95, the subject was again ably examined by the same Admiralty judge. It was held that under the Newcastle Pilot Act the taking of a pilot by a foreign ship was compulsory, and that if damage occurred to another vessel by his default, the vessel which had taken him was not liable, both upon general principles and by virtue of the Act of 5 Geo. 4, c. 55.

The rule laid down by the Court of King's Bench in Sidebotham *v.* Caruthers, 4 M. & S. 78, was recognised and affirmed. These judgments have stood unquestioned down to the present time.

There have been numerous adjudications settling the construction of the statutory provision, that the vessel shall be exonerated where the pilot is in fault.

The following propositions may be deduced from them:

The Statute giving the immunity where a licensed pilot is employed abridges the natural right of the injured party to compensation, and is, therefore, to be construed strictly.

The exemption applies only where the pilot is actually in charge of the vessel, and solely in fault.

If there be anything which concurred with the fault of the pilot in producing the accident the exemption does not apply, and the vessel, master, and owners are liable.

The colliding vessel is in all cases *primâ facie* responsible.

The burden of proof rests upon the party claiming the benefit of the exemption. He must show affirmatively that the pilot was in fault, and that there was no fault on the part of the officers or crew "which might have been in any degree conducive to the damages."

(The "Gen. De Caen," 1 Swabey, 10; the "Diana," 1 Wm. Rob. 135; the "Protector," *ibid* 60; the "Christiana," 7 Moore, P. C., 171; the "Minna," Law Rep. Ad. & Ecc., pt. 2, Nov. 1868, p. 97; the "Iona," Law Rep., 1 P. C. 432.)

The last in the series of these authorities to be considered is the "Haley," Law Rep., 1868, pt. 2, Ad. & Ecc., p. 3.

The owners of a foreign ship sued the owners of an English ship in the British Court of Admiralty, claiming damages for a collision in Belgian waters. The defendants pleaded that by the Belgian law pilotage was compulsory. The plaintiffs replied, that by the same law the wrong-doing vessel was liable for the damages. The case turned upon the sufficiency of the latter proposition as an answer to the former.

Sir Robert Phillimore, following the case of Smith *v.* Condry, decided by this court, (1 How. 28,) and other authorities to which he referred, held that the rights of the parties were governed by the law of the place of the tort.

Appendix (A).

In the course of his learned and elaborate opinion he said:

"The English legislature has thought it expedient that only certain persons under certain restrictions shall be allowed to act as pilots in British waters; and that it shall be compulsory upon all masters of ships to place the navigation of their vessels under the control of one of these licensed pilots. And the common law of England has ruled, that in such cases the natural responsibility of the owner of the vessel for injuries done to the property or persons of others by the unskilful navigation of that vessel shall cease, and be transferred to the pilot. This law holds that the responsibility of the owner for the acts of his servant is founded upon the presumption that the owner chooses his servant, and gives him orders which he is bound to obey; and that the acts of the servant, so far as the interests of third parties are concerned, must always be considered the acts of the owner. But no such presumptions, it is said, can exist in the case of compulsory pilotage, in which the state forces its own servant upon the owner, and, indeed, in some respects reverses the usual order of things on board ship by rendering it incumbent on the master to obey the orders of the pilot. But the considerations of domestic policy which have created this peculiar law are not founded on principles of universal law or natural justice. They are considerations of British policy which apply to British waters and territory; but not Flushing waters, in which this collision took place. * * * "Lord Stowell's mind, furnished as it was with the principles of jurisprudence, rejected the argument for the immunity of the wrong-doing vessel." * * * "I will frankly say, that it appears to me difficult to reconcile the claims of natural justice to the law which exempts the owner who has a licensed pilot on board, from all liabilities for the injuries done by the bad navigation of the ship to the property of an innocent owner." * * * "No one acquainted with the working of this law, which exempts the wrong-doing vessel from liability in this court, can be ignorant that it is fruitful of injustice."

This survey of the English adjudications warrants several observations.

Lord Stowell, overlooking the Statute, refused to recognise the principle of exemption. He held the "true rule of law" to be that fault created liability, notwithstanding that the pilot was taken upon compulsion.

Sir John Nichol made a persistent effort to get rid of the Statute by giving the jurisdiction clause a construction which annulled the operation of the exemption in the Admiralty court.

Dr. Lushington and the Privy Council have held that the exemption clause is to be strictly construed, and have given it a construction so narrow as greatly to limit its operation and impair its efficacy; while Sir Robert Phillimore pronounced its working in the Admiralty court "fruitful of injustice" and more than intimates that it is contrary to the fundamental principles of natural right.

These results furnish little inducement to us to establish the principle in our jurisprudence.

The question is not a new one in this country. It arose as early as the year 1800, in Bussey *v.* Donaldson, 4 Dallas, 206. In that case the court said: "The legislative regulations were not intended to alter or obliterate the principles of law by which the owner of a vessel was previously responsible for the conduct of the pilot, but to secure in favour every person, strangers as well as residents, trading to our port, a class of experienced, skilful, and honest mariners to navigate their vessels safely up the bay and the river Delaware. The mere right of choice is, indeed, one, but not the only reason why the law in general makes the master responsible for the acts of his servant, and in many cases where the responsibility is allowed to exist, the servant may not in fact be the choice of the master."

Williamson *v.* Pierce, 4 Mart., N. S., 399; Yates *v.* Brown, 8 Pick. 23, and Dennison *v.* Seymour, 9 Wend. 1, involved the same principle, and were decided in the same way.

In the case of the "Creole," decided by Mr. Justice Grier, on the circuit, in the year 1853, 2 Wall. jun. 485, the subject underwent a learned and thorough examination, both by counsel and the court. The result was the same as in Bussey *v.* Donaldson. It appears by that case, that Mr. Justice Wayne had ruled the point in the same way in his circuit. No American adjudication to the contrary has been brought to our attention.

The question is now, for the first time, presented in this court.

The New York Statute creates a system of pilotage regulations. It does not attempt, in terms, to give immunity to a wrong-doing vessel. Such a provision in a State law would present an important question, which, in this case, it is not necessary to consider.

The argument for the appellants proceeds upon the general legal principle that one shall not be liable for the tort of another imposed upon him by the law, and who is, therefore, not his servant or agent.—(15 East, 189; 4 M. & S. 77; 6 B. & C. 657; 12 Ad. & E. 737; 4 Exch. 244.)

The reasoning by which the application of this principle to the case before us is attempted to be maintained, is specious rather than solid.

It is necessary that both outward and inward bound vessels, of the classes designated in the Statute, should have pilots possessing full knowledge of the pilot grounds over which they are to be conducted. The Statute seeks to supply this want, and to prevent, as far as possible, the evils likely to follow from ignorance or mistake as to the qualifications of those to be employed, by providing a body of trained and skilful seamen, at all times ready for the service, holding out to them sufficient inducements to prepare themselves for the discharge of their duties, and to pursue a business attended with so much of peril and hardship. The services of the pilot are as much for the benefit of the vessel and cargo as those of the captain and crew. His compensation comes from the same source as theirs. Like them

them he serves the owner and is paid by the owner. If there be any default on his part, the owner has the same remedies against him as against other delinquents on board. The difference between his relations and those of the master is one rather of form than substance.

It is the duty of the master to interfere in cases of the pilot's intoxication or manifest incapacity, in cases of danger which he does not foresee, and in all cases of great necessity.

The "Argo," 1 Swabey, 464.
The "Christiana," 7 Moore, P. C., 192.

The master has the same power to displace the pilot that he has to remove any subordinate officer of the vessel. He may exercise it or not, according to his discretion.

The maritime law as to the position and powers of the master, and the responsibility of the vessel, is not derived from the civil law of master and servant, nor from the common law.

It had its source in the commercial usages and jurisprudence of the middle ages. Originally, the primary liability was upon the vessel, and that of the owner was not personal, but merely incidental to his ownership, from which he was discharged, either by the loss of the vessel or by abandoning it to the creditors. But while the law limited the creditor to this part of the owner's property, it gave him a lien or privilege against it in preference to other creditors.

The "Phœbe," Ware, 273.
The "Creole," 2 Wall. jun., 519.

The maxim of the civil law, *sic utere tuo ut non lædas alienum*, may, however, be fitly applied in such cases as the one before us.

The remedy of the damaged vessel, if confined to the culpable pilot, would frequently be a mere delusion. He would often be unable to respond by payment, especially if the amount recovered were large.

Thus, where the injury was the greatest, there would be the greatest danger of a failure of justice.

According to the admiralty law, the collision impresses upon the wrong-doing vessel a maritime lien. This, the vessel carries with it into whosesoever hands it may come. It is inchoate at the moment of the wrong, and must be perfected by subsequent proceedings. Unlike a common law lien, possession is not necessary to its validity. It is rather in the nature of the hypothecation of the civil law. It is not indellible, but may be lost by laches or other circumstances.

The "Bold Buccleeigh," 7 Moore, P.C., 284; Edwards *v.* the Steamer "R.F. Stockton," Crabbe, 580; the "America, 16 Law Reports, 264; the "Lion," Law Rep., November 1868; Ad. & Ecc., 107.

The proposition of the appellants would blot out this important feature of the maritime code, and greatly impair the efficacy of the system. The appellees are seeking the fruit of their lien.

All port regulations are compulsory. The provisions of the Statute of New York are a part of the series within that category. A damaging vessel is no more excused because she was compelled to obey one than another. The only question in all such cases is, was she in fault?

The appellants were bound to know the law. They cannot plead ignorance. The law of the place makes them liable. This ship was brought voluntarily within the sphere of its operation, and they cannot complain because it throws the loss upon them rather than upon the owners of the innocent vessel. We think the rule which works this result is a wise and salutory one, and we feel no disposition to disturb it.

The steamship is a foreign vessel. We have, therefore, considered the learned and able argument of the counsel for the appellants with more care than we should otherwise have deemed necessary.

Maritime jurisprudence is a part of the law of nations. We have been impressed with he importance of its right administration in this case.

The decree of the circuit court is affirmed.

D. W. Middleton,
Clerk Superintendent, U. S.

THE "CHINA."

Mr. Justice *Clifford* (with whom concurred Mr. Justice *Field*).

I CONCUR in the proposition that the pilot laws of New York afford no defence to the appellants in this case, and that the decree of the circuit court, determining that the colliding steamship was liable, notwithstanding she had a licensed pilot on board, ought to be affirmed. Many English cases decide otherwise, but I am not satisfied with the reasons given in their support, and have no hesitation in concurring in the conclusion to which the majority of the court has come; but I do not concur in the proposition that the State laws which require inward or outward bound vessels to pay pilot fees or half pilot fees, whether they employ a pilot or not, would afford any such defence in case of a collision, even if it be admitted that a law imposing penalties in case of a refusal to employ a licensed pilot would have that effect. Whether the party charged is liable or not, aside from the merits,

Appendix (A).

depends in all cases upon his relation to the wrong-doer. If the wrongful act was done by himself or was occasioned by his negligence, of course he is liable, and he is equally so if the act constituting the fault was done by one towards whom he bore the relation of principal, but the liability ceases where the relation of principal entirely ceases to exist as in the case of inevitable accident. Unless the relation of principal entirely ceases to exist the party owning the vessel remains liable in a suit in *personam*.

When a vessel is chartered the liability of the owner in respect to a collision happening in consequence of the faulty navigation of the ship depends upon the inquiry whether or not the master and crew can be considered to be his servants. Settled rule is, that where the shipowner provides the vessel only and the master and crew are selected by the charterer, the latter, and not the shipowner is responsible for their acts; but if the shipowner propides not merely the vessel, but also selects the master and crew, he is still liable in case of collision to the owners of the injured vessel, because the vessel in the sense of the maritime law is under his control, though the wages of the master and crew may be paid by the charterer. Such liability in the former case is shifted from the real owner to the owner for the voyage, but the ship is as much liable in the one case as in the other to a suit in *rem* for the injury committed, because she sailed on the voyage as the property of the real owner and by his consent.

Port regulations are supposed to be known to the shipowner before he sends his vessel on the voyage, and the rule of the maritime law is that in sending her to any particular port he elects to submit to the lawful regulations established at that port, and that his vessel shall be responsible in case she unlawfully collides with another vessel engaged in lawful navigation. Contrary to the rule adopted in the English Admiralty the American Courts have so held without an exception which has fallen under my observation.

The " Carolus," 2 Curtis, 2, 269.
The " Hallock," 1 Sprague, 539.
Bussy *v.* Donaldson, 4 Dallas, 206.
Yates *v.* Brown, 8 Pickering, 23.
Williamson *v.* Price, 4 Martin, N. S., 399.
Dennison *v.* Seymour, 9 Windel, 1.
Smith *v.* Condrey, 1 Howard, 28.
The " Lotty," Olcott, 329.
The " Creole," 2 Wallace, junior, 511.
The " Rescue," 2 Sprague, 16.

All of these cases decide that the State Statutes requiring the master to take a licensed pilot and making provision for the payment of pilot fees do not amount to a compulsion to take a pilot, and I am satisfied they are correct, and that such a Statute cannot be set up as exempting a ship from responsibility while navigated by a licensed pilot.

Believing these descriptions to be correct, I cannot consent to pronounce them incorrect, especially as no such conclusion is necessary to the right disposition of the present case. Neither the common law courts nor the courts of Admiralty in this country have adopted the rule established by Dr. Lushington; on the contrary, they all have held that the Statute Laws requiring the master to pay pilot fees whether he employed a pilot or not, did not compel him to surrender the navigation of his ship to the licensed pilot, or prevent him from continuing in the command of his ship. Dissenting as I do from the rule laid down in the English courts, I concur with the majority of the court in over-ruling those decisions as applied to our jurisprudence, but I cannot concur in over-ruling the American decisions which assert the opposite doctrine, because I believe they are correct.

Judgment affirmed.

Reported in 7 Wallace, p. 61.

(No. 8.)

The " Halley."

(Law Report, p. 68—Ad. & Ec., p. 3.)

Judgment delivered in the Admiralty Court on Tuesday, November 26th, 1867.

In this case the owner of a Norwegian vessel has brought an action against the owner of an English vessel for damage done to the Norwegian ship in the territory of Belgium.

One of the functions, and not the least important, of the High Court of Admiralty is to administer international justice in maritime suits between foreigners who resort to its jurisdiction, or, as in the present instance, between the foreigner and the British subject. The Prize Jurisdiction of this Court administers the *jus inter gentes*, or public international law, and what is called the Instance Jurisdiction administers the *jus gentium*, or private international law. In order to attain this end the rules of pleading, and the general mode of investigating and trying the merits of such cases when they come before it, are simple, free from technicality, and calculated to do substantial justice. In this Court, as Sir J. Nichol observes in the " Girolamo " (3 Hagg. Rep. 177), " the law maritime according to the law of nations is to be administered;" and again he says (p. 189) it " is governed by the rules " (he

(he is not speaking of the Prize Court) "of international law." To the same effect in the "Zollverein" (1 Swabey, p. 99), Dr. Lushington, in the case of a collision between a British and foreign vessel, says, "The case must be decided by the law maritime, by those rules of "navigation which usually prevail among nations navigating the seas where the collision "takes place." And in the "Golubchick" (1 W. Rob., p. 147), he says, "Upon general "principle I apprehend that this Court, administering, as it does, a part of the maritime "law of the world, would have a right to interpose in cases of the present description." If, therefore, this collision had taken place upon the high seas, it must, upon general principles, have been adjudicated according to the "*lex maris*."

The petition of the plaintiff in this cause sets forth that the Norwegian barque "Napoleon," of the burthen of 740 tons, while riding at anchor in Flushing Roads, in the month of January of this year, was run into by the British steam ship "Halley," and thereby suffered considerable damage. In their answer to this charge contained in the petition, the defendants, the owners of the "Halley," state that by "the Belgian or Dutch "laws, which prevail in and over the River Scheldt, and to which the said river is subject, "from the place where the said river pilot came on board the 'Halley,' and thence up to "and beyond the place of the aforesaid collision, it was compulsory on the said steamer to "take on board and to be navigated under the directions and in charge of a pilot, duly "appointed or licensed according to the said laws, and *it was by virtue of such laws* (the "words are not unimportant) that the 'Halley' was compelled to take on board and to be "given in charge, and until the time of the said collision as aforesaid to remain in charge "of, and did take on board, and was given in charge, and up to the time of the said "collision remained in charge of the said river pilot, who was duly appointed or licensed "according to the said laws, and whom the defendants or their agents did not select, and "had no power of selecting."

To this defence the owners of the "Napoleon" reply as follows:—"That by the Belgian "or Dutch laws in force at the time and place of the said collision, the owners of a ship "which has done damage to another ship by collision are liable to pay and make good to "the owners of such lastly-mentioned ship all losses occasioned to them by reason of such "collision, notwithstanding that the ship which has done such damage was, at the time of "the doing thereof, being navigated under the direction and in charge of a pilot duly "appointed or licensed according to the said laws, and notwithstanding that such damage "was solely occasioned by the negligence, default, or want of skill of such pilot, without "any contributory negligence on the part of the master or crew of such lastly-mentioned "ship, and notwithstanding that it was, at the time and place of the collision, by the said "laws compulsory on such lastly-mentioned ship to be navigated under the direction and "in charge of such pilot; and the defendants, the owners of the 'Halley,' are *by virtue of* "*the said laws* liable to pay and make good to the plaintiffs all losses occasioned to them "by the said collision, even if the statements contained in the 11th Article of the said "answer be true."

The admission of this plea is objected to by the owners of the "Halley," on the ground that the law of England alone governs this case. On this subject elaborate arguments have been addressed to the Court by the counsel for both parties. The point, it is said, has never before been raised, and I have now to give judgment upon it.

I will frankly say, that it appears to me difficult to reconcile the claims of natural justice with the law which exempts the owner, who has a licensed pilot on board, from all liability for the injuries done, by the bad navigation of his ship, to the property of an innocent owner. *Obligatio* is (according to the admirable definition in the Institutes) "vinculum juris quo necessitate astringimur alicujus rei solvendæ;" it is "lien de droit," as the French say. No one acquainted with the working of this law, which exempts the wrong-doing vessel from liability in this court, can be ignorant that it is fruitful in injustice. On the one hand, the master is tempted to abstain from all control over his vessel, lest he should afford grounds for the argument that by interference with the pilot, he has deprived himself of the legal immunity which he would otherwise enjoy. On the other hand, it is obvious that great inducements may be offered to the pilot to shield the incapacity or mismanagement of the master and his officers by taking all the blame upon himself. It is true that by so doing, he may subject himself to censures and punishment from the Trinity House. Certainly, in cases where the evidence clearly established very gross negligence or want of skill on his part, such would be the result; but the greater number of cases are not of this extreme description. It is impossible to doubt that an owner, who, as in a recent case before me, would, but for the fact of having a licensed pilot on board, have been compelled to pay perhaps 25,000 *l.* to the ship which he had sunk, lies under a very strong temptation to take whatever measures may be necessary for obtaining the two necessary statements of the pilot; namely,—

First, that he alone had the management of the vessel;

And secondly, that the orders were obeyed; the two stereotyped questions necessarily and invariably put to the pilot by those who conduct the defence of the wrong-doing vessel.

Again, I cannot help thinking, that the doctrine so clearly explained by Lord Cranworth in "Reedie *v.* London and North Western Railway," (4 Exch. 255), of the owner being responsible only for the acts of his own servant, has been somewhat strained in its application to the case of the licensed pilot. I do not quite understand why, because the State insists on the one hand, upon all persons who exercise the office of pilot within certain districts being duly educated for the purpose, and having a certificate of their fitness, and

Appendix (A).

insists on the other hand, that the master shall, within these districts, take one of these persons on board to superintend the steering of his vessel, the usual relation of owner and servant is to be entirely at an end; and still less do I see why the sufferer is to be deprived of all practical redress for injuries inflicted upon him by the ship which such a pilot navigates. If compulsory pilotage be at all expedient, a question open to very considerable doubt, it seems to me more just that the master of the wrong-doing ship should be left to his action against the pilot who has badly navigated her, than that the owner of the injured ship should be placed in that predicament. I incline to the opinion, that the Belgian law, as it appears in these pleadings, is more consonant with natural justice than our own on this subject. Be this, however, as it may, it has not, I repeat, been argued that the Belgian law is inadmissible here, because it is at variance with natural justice, and if such an argument had been advanced, I should have expressed my dissent from it.

Having regard then to the fact that the *lex fori* is founded upon special considerations of public policy applicable only to British territory, and that the admission of the foreign law, the *lex loci delicti commissi*, to govern this case is not prevented by reason of its repugnance to natural justice or to public policy,—if the question before me were as to the law which ought to govern the fulfilment of the obligation arising out of an ordinary contract made in Belgian territories, it could not, I think, be successfully contended that I ought to apply the English law to such case.

Now, let me mention a judgment delivered in the Supreme Court of the United States of North America, and certainly entitled to the highest respect in this Court. In the case of "Smith and others *v.* Condry" (1 Howard, U. S. Rep. 28, and 14 Curtis, 48), to which I was referred by Mr. Clarkson, two ships belonging to subjects of the United States of North America came into collision in the port of Liverpool. The action was brought in the Circuit Court for the district of Columbia, and came up by writ of error to the Supreme Court. Mr. Chief Justice Taney, in delivering the opinion of the Court, observed (p. 32) as follows:—"Upon the evidence above stated the defendant asked the Court to instruct "the jury that under the statutes of Great Britain of the 37 Geo. 3, c. 78; 52 Geo. 3, c. 39, "and 6 Geo. 4, c. 125, the defendant was not responsible for any damage occasioned by "the default, negligence, or unskilfulness of the pilot. The Court gave this instruction, "and that is the subject of the first exception. The collision having taken place in the "port of Liverpool, the rights of the parties depend upon the provisions of the British "statutes then in force, and if doubts exist as to their true construction we must, of course, "adopt that which is sanctioned by their own Courts." This decision of the Supreme Court of the United States of North America seems to go the whole length of the way which the Norwegian plaintiff desires me to travel, for it is, in fact, a decision that the court before which a plaintiff sues for the enforcement of the damages growing out of an *obligatio ex delicto* ought to measure those damages by the law which bound the obligor and the obligee at the time when the *factum obligans* (as civilians speak) took place, or, in other words, when the *delictum* was committed.

Lastly, I must observe upon not the least remarkable feature in the present proceeding, namely, that the defendant is the first to invoke in his own favour the law of Belgium. He pleads that by that law, applicable to this case, the taking of a pilot on board was compulsory, and there his citation from the Belgian law ceases. The plaintiff, not unnaturally, pleads in his turn the other part of the Belgian law, which is to the effect that the compulsory taking on board of a pilot does not release the master from his liability under the general law for all damages occasioned by the unskilful navigation of his vessel. The defendant contends that the plaintiff has no right to finish the citation, so to speak, which he, the defendant, has begun, from the Belgian law; that I must only look at that portion of it which he has selected as being in his favour, and which, as such, he is pleased to lay before me; that it is my duty not to apply either the general *lex maris*, mentioned at the beginning of this judgment, or the whole Belgian law, which combines the obligation to take a pilot with the continuing responsibility of the owner; but to take the former part of that law, which relates to the obligation to take a pilot, and add to it the English law, which exempts the owner from responsibility. This is the tesselated piece of jurisprudence which I am told the law requires to be applied to the case before me. I hope there is no law or legal rule in this country which would compel me to do an act of, what seems to me, such manifest injustice; as at present advised, I know of none.

Upon the whole, after an anxious and, I trust, careful consideration of the principles of law applicable to this case, and of the authorities and arguments which have been laid before me, I am of opinion that the plaintiff is entitled to plead that the law of Belgium, within whose territorial waters his vessel received damage from the vessel of the defendant, renders the owner of the latter vessel, although compelled to take a pilot on board, liable to make reparation for the wrong which she has done. The question is one of grave importance, and submitted in this country for the first time unhappily to my decision. I am glad to remember that, if I have erred, my error will be corrected by the Court of Appeal, and I will readily accord to the defendant, if he desire it, the permission to appeal, which the statute requires, from this decision upon the admissibility of the plaintiff's plea.

Appendix (A).

(No. 9.)

LETTER from Lord *Lyons* to Lord *Stanley*.

My Lord, Paris, 2 January 1868.

IN pursuance of the instructions contained in your Lordship's Despatch, No. 11, Commercial, of the the 21st ultimo, directing me to ascertain and report upon the state of the French law, in regard to the liability of shipowners to pay for damage caused by their vessels when under the guidance of pilots, whose employment is rendered compulsory by the laws of France, I requested Mons. Treite, legal adviser of this embassy, to draw up a report on this subject, and I have now the honour to enclose copy of the Report which I have received from him.

I have, &c.
(signed) *Lyons*

The Lord Stanley.

(Enclosure.)

Milord, Paris, le 29 Decembre 1867.

V. E. a bien voulu me poser la question suivante :

Dans les cas où la loi de France *oblige* le propriétaire d'un navire à employer un pilote, ce navire ou son propriétaire est-il, ou bien n'est il pas tenu selon la loi Française de payer les domages occasionnés par ce navire alorsque celui-ci est sous la direction du pilote?

Je n'hésite pas à repondre à V. E. que le navire ou son propriétaire est tenu tout d'abord à payer les domages que ce navire a causés sauf son recours contre l'auteur manifeste de ces domages autrement dit, la présence *obligée* d'un pilote à bord ne rend pas ce pilote responsable des domages occasionnés par le navire.

Voici à l'appui de cette opinion ce qu'ont dit les auteurs et la jurisprudence.

Les questions de responsabilité sont communément des questions de *fait* et d'*appréciation* réservées à la décision des tribunaux.

La responsabilité spéciale pour domages causés par un navire pourvu d'un pilote, n'en est pas moins réglé par les principes généraux en cette matière ; ces principes sont écrits dans le code Napoléon, en disent, Article 1382. Tout fait quelconque de l'homme qui cause à autrui un domage oblige celui, par la faute duquel il est arrivé, à la réparer, Article 1383, chacun est responsable du domage qu'il a causé non seulement par son fait, mais encore, par sa négligence ou son imprudence.

Article 1384. On est responsable non seulement du domage, que l'on cause par son fait mais encore, de celui qui est causé par le fait des personnes dont on doit répondre. Les maîtres et les *commettants* sont *responsables* du domage causé par leurs domestiques ou préposés dans les fonctions auxquelles ils les ont employés. Les propriétaires de navires sont des commettants, les capitaines des navires sont les préposés des armateurs ou des propriétaires de navires.

Il resulte de ces articles que la responsabilité d'un domage doit retomber sur l'auteur de ce domage ou sur celui, pour le compte auquel l'auteur a agi, et qui s'appelle *la personne civilement responsable* c'est à dire qu'elle n'est tenue qu'aux réparations ou aux indemnités à payer sans encourir les peines que la loi pénale prononce contre les délites commis par imprudence ou négligence ou inobservation des réglements. L'auteur de l'accident est seul responsable criminellement mais le civilement responsable, tel que le commettant, est condamné, solidairement aux domages intérêts avec l'autéur du domage, et le civilement responsable conserve son recours contre l' auteur du mal.

En cas de contestation sur les causes et les auteurs d'un domage, les tribunaux statuent et décident sur qui doit retomber la responsabilité du domage. Si c'est le pilote, il est condammé à payer les indemnités, comme toute autre personne, mais sa présence obligeé à bord n'implique pas sa responsabilité d'une manière absolue.

En effet l'obligation de prendre un pilote imposée à certains navires par l'article 34 du Décret Imperial du 12 Decembre 1806, tient non pas seulement aux intérêts privés des navigateurs, mais surtout à la police général de la vie maritime. Cette police doit veiller au salut des équipages et à l'observation des lois et réglements sur cette matière, aussi lorsque les capitaines refusent de prendre un pilote il n'en sont pas moins obligés de le payer, et en pareil cas, les capitaines encourent la responsabilité de tous les évenements qui surviennent et risquent même des penalitès sévères si le bâtiment se perd (Article 40—Loi du 22 Août 1790). La presence à bord d'un pilote décharge le capitaine d'une partie de sa responsabilité, mais elle ne l'en affranchit pas entièrement. Le capitaine doit surveiller le pilote ; si celui-ci commande des manœuvres dangereuses, le capitaine doit consulter l'équipage et reprendre le commandement même par la force, s'il le faut ; car le capitaine est responsable de la faute grave et evidente qu'il aurait laissé commettre au pilote, et ne peut s'abriter derrière l'autorité du pilote ; il serait coupable de n'avoir pas employé tel moyen de salut qu'un homme d'intelligence et d' honneur devait employer ; il serait responsable de sa négligence.

Telle est l'opinion des auteurs qui ont écrit sur cette matière.*

Quant

---

* *Voir* M. Beaussant—Code Maritime, troisiéme volume, page 383.

Appendix (A).

Quant aux décisions des tribunaux elles sont diverses sur ce sujet comme presque sur tous les autres sujets. Ainsi il a été jugé que lorsqu'un pilote est à bord d'un navire pour y exercer ses fonctions du pilotage, l'administration du pilotage est, à l'exclusion du capitaine, responsable des fautes qui peuvent être commises par le pilote dans l'exercice de ses fonctions, que, s'il est survenu un abordage, il y a lieu de mettre le capitaine hors de cause en réservant à la partie lesée ses droits contre l'administration du pilotage (Tribunal de Marseilles, 11 Mai 1827) et qu'une fois qu'un navire est entré en rivière, le capitaine n'a pas le droit de s'opposer à une mésure que le pilote, sous sa responsabilité, juge propre au salut du navire et du chargement (Tribunal de Bordeaux, 23 Février 1829). A ces décisions on peut opposer des décisions contraires.

Ainsi le tribunal de Marseilles a, le 21 Avril 1830, jugé que de ce qu'un navire se trouve sous le commandement d'un pilote chargé de la conduire, il ne s'ensuit pas que le capitaine soit absolument dégagé de toute responsabilité à raison d'un abordage de son navire contre un autre.

Le même tribunal de Marseilles a, le 5 Mai 1831, décidé que le capitaine était responsable des domages provenant du choc du navire sur des filets signalés par des bouées quoiqu'il y eût un pilote à bord lors de l'accident.

En fin la Cour Impériale de Rennes, le 3 Août 1832, a jugé que l'armateur d'un navire sur lequel se trouve un pilote, chargé de la direction du navire ne laisse pas d'être responsable des faits de ce pilote et spécialement des domages causés par un abordage. Les recueils de Jurisprudence mentionnent fort peu de procès sur cette matière.

Les divergences de ces décisions sont peut être plus apparentes que réelles; elles peuvent s'expliquer par la diversité des circonstances du fait. La présence d'un pilote diminue, je le répète, la responsabilité du capitaine, mais elle ne la fait pas totalement disparaître; elle ne fait pas non plus cesser celle de l'armateur. C'est aux tribunaux à apprécier d'après les circonstances si le capitaine a dû s'en rapporter au pilote, ou bien si les manœuvres ordonnées par celui-ci avaient un tel caractère de témérité ou de mal adresse qu'il était de son devoir de s'y opposer, ou bien encore si le navire était dans des conditions convenables de construction et d'armement ce qui engagerait la responsabilité du propriétaire.

En résumé, les observations ci-dessus se permettent de confirmer l'opinion précédemment émise, qu'en matière de navigation du pilotage, il n'y a pas de responsabilité absolue. Ce sont toujours des questions de fait et d'appréciation. Les juges en décident et condamment les auteurs des domages chacun suivant la part que les circonstances lui ont faite dans le sinistre.

Sa partie lesée exerce tout d'abord son action en indemnité contre le navire ou son propriétaire ou armateur, celui-ci a son recours contre les auteurs du domage et les appelle en garantie, soit pilotes ou capitaines.

Agréez, &c.
(signé) *Treite.*

(No. 10.)

LETTER from Mr. *Speeding*, North Channel Pilot, to the Secretary, Board of Trade.

Sir, Garford-street, Poplar, 28 February 1870.

I, WILLIAM SPEEDING, Master Mariner, and Trinity Pilot, of 69 (late 34), Garford-street, in the parish of Poplar, county of Middlesex, beg leave to ask your kind permission to allow me to lay before the honourable Select Committee, now sitting on the Abolition of the Compulsory Pilotage Bill, a few particulars for the benefit of shipmasters and shipowners trading to the Port of London.

I beg leave to state that I hold a license (upwards of 20 years), under the honourable Corporation of Trinity House, to pilot ships for the North Channel from London to Orfordness, in and out of Harwich Harbour, and from London Bridge to the Downs and Dungeness.

I have to request that your honourable Committee will be pleased to recommend that the Orders in Council, dated 18th February 1854, relating to pilotage inwards, Downs to London, shall, for the benefit of shipowners, be extended to the North Channel upwards, Orfordness to London.

In consequence of many ships coming up the said North Channel with flags flying for a pilot, the London pilots are not allowed to go on board and take charge. With your kind permission the pilots are willing to do this duty and thus put aside all further cause of complaint.

Shipowners request pilots to continue in charge only as far as they require them. The present regulations will not permit London pilots to leave ships short of the Downs.

I beg leave to call your honourable Committee's attention to the very small amount of pension the London pilots receive. May we be allowed to hope that we may be dealt with in the same way as Custom House officers are, there being means to meet this matter already in the pilots' fund.

Might I suggest that all complaints against pilots be disposed of at a police court.

I have, &c.
(signed) *William Speeding.*

To George John Shaw Lefevre, Esq., M.P

LETTER from the Secretary to the Trinity House, to the Secretary, Harbour Department, Board of Trade.

Sir, Trinity House, London, 11 March 1870.

I AM directed to acknowledge receipt of your letter, dated 3rd inst. (H. 1116), transmitting one from Mr. William Speeding, a pilot, licensed by this Corporation, relative to the Bill for Abolishing Compulsory Pilotage, for the observations of the Elder Brethren, and, in reply, I have to acquaint you with reference to Mr. Speeding's suggestion that the regulations for pilotage inwards from the Downs to London shall, for the benefit of shipowners, be extended to the North Channel upwards, Orfordness to London; that the authority to London pilots to pilot vessels upwards from the Downs was granted by Act of Parliament (16 & 17 Vict. c. 129, s. 5), and not by Order in Council, as Mr. Speeding states, and that it is not necessary that this plan should be adopted in the North Channel, as the circumstances are not similar.

The South Channel service is subject at times, when, after long easterly winds, a westerly wind brings in a large influx of vessels, to a greater demand for pilotage inwards than the Cinque Ports pilots can meet, and the London pilots are therefore allowed to go to their assistance; but no such requirement exists in the North Channel where British vessels rarely take pilots, and those appointed are quite sufficient for the general service.

The Elder Brethren do not propose to make any further remarks on Mr. Speeding's letter, which, as requested by you, is herewith returned.

I am, &c.
(signed) *Robin Allen*, Secretary

The Assistant Secretary, Harbour Department,
Board of Trade.

(No. 11.)

LETTER from Mr. *Sharland* to the Secretary, Board of Trade.

Case of the Gravesend Licensed River Pilots.

Dear Sir, Town Hall, Gravesend, 14 March 1870.

As requested by you, I enclose points submitted by the deputation to Mr. Lefevre on Friday last; also a printed statement in which these points are amplified.

I also transmit draft clauses for your consideration.

I am desired to rectify an error in the statement made by the deputation to Mr. Lefevre in reply to his inquiry what proportion of the present employment of the river pilots depended upon compulsory pilotage. The answer given was about one-third, but a careful investigation has since been made, and it is ascertained that the proportion is about *one-half*.

You desired me to inform you what rates of pilotage were paid to the home trade passenger ships' pilots, and what sums to watermen.

I regret that I can give you no reliable information on either point. The rates receivable by the home trade passenger ships' pilots are, as you know, the same as those payable to the licensed pilots, but what sums are *in fact paid* we cannot ascertain.

The watermen make their own bargains with the masters of ships in each case.

I am, &c.
(signed) *Geo. Edw. Sharland.*

T. H. Farrer, Esq.,
Board of Trade, Whitehall Gardens, S.W.

(Enclosures.)

MERCHANT SHIPPING CODE (PILOTAGE ACT).

PROPOSED CLAUSES.

Section 451, in lieu of present Section.

WHENEVER a licensed pilot who has executed such deed of covenant becomes liable to pay damages for neglect or want of skill, the Trinity House, or some person appointed by them, shall as soon as may be assess the damages to be paid by such pilot, so however, that the amount to be paid by him shall in no case exceed the amount covenanted by the deed to

Appendix (A).

be paid, and the amount of pilotage dues payable to him in respect of the voyage in which he was engaged when he became so liable; but save as aforesaid, no such pilot shall be liable in any proceeding for the recovery of damages for neglect or want of skill.

Section 438.—To be added at the end of paragraph 1, after the words "and Dungeness to the South."

So nevertheless that no pilot shall be licensed to conduct ships both above and below Gravesend.

To be added to Section 3.

A licensed pilot may lawfully go and remain for a reasonable time on board any ship for the purpose of tendering his services as pilot, or for the purpose of searching for and ascertaining whether or not an unlicensed pilot is on board, and the master of any ship who refuses to permit a licensed pilot to go and remain on board his ship for either of the purposes aforesaid, shall for each offence incur a penalty not exceeding 20 *l.*

The fact of an unlicensed pilot, or person accustomed to act as such, being or remaining on board any ship, or landing from any ship, shall be *prima facie* evidence that the master of the said ship had given his ship into the charge of, or had continued to employ, such unlicensed pilot, and that such unlicensed pilot had assumed or continued in charge of such ship.

In lieu of Section 2.

And whereas the pilotage emoluments of licensed pilots may be seriously diminished by the operation and effect of this Act, and it is just and reasonable that full compensation for any such loss should be made in respect thereof to such licensed pilots as were licensed before the passing of this Act; be it therefore enacted, that immediately after the passing of this Act, the Commissioners of Her Majesty's Treasury shall, upon the application of any such licensed pilot, by such means and in such manner as they may think proper, inquire into and ascertain the annual amount, to be computed upon an average of five years immediately preceding the passing of this Act, or of such shorter period as such licensed pilot shall have been licensed, of the pilotage emoluments received by such licensed pilots; and the said Commissioners shall, upon the like application, also ascertain, in such manner as they may think proper, the total amount of pilotage emoluments received by such licensed pilot during any year after the passing of this Act; and the said Commissioners are hereby authorised and empowered by warrant under their hands to award to such licensed pilot the deficiency when and so often as the same shall occur between the last-mentioned amount and the annual average amount so ascertained as aforesaid, and the sum so awarded shall be paid out of the moneys to be provided by Parliament for that purpose.

(No. 12.)

Points submitted by Deputation of Gravesend River Pilots to Mr. *Shaw Lefevre*, on 11th March 1870.

The deputation submitted to the decision of the Government to abolish compulsory pilotage, but urged the insertion of clauses for the following purposes:—

1. For the retention of Gravesend as a pilot station, and the reinsertion of the words, "So nevertheless that no pilot shall be hereafter licensed to conduct ships both above and below Gravesend," inserted by Mr. Cardwell in Section 370 of "The Merchant Shipping Act" 1854, but omitted from Section 438 of the present Bill.

2. For facilitating evidence against unlicensed pilots by inserting clauses making presence of unlicensed pilot on board *primâ facie* evidence that he is in charge, and authorising licensed pilots to go on board to offer services, &c.

3. Limiting pilots' liability, and revising section 451 of Merchant Shipping Code with this view.

4. For compensation, as distinguished from superannuation, in case of loss of employment.

The above points are amplified in the printed Statement herewith.
Suggested Clauses are also herewith for Mr. Farrer's consideration.

Appendix (A).

Statement of the Claims of the Gravesend River Pilots.

1. The Licensed Trinity River Pilots residing at Gravesend, pending the decision of the Select Committee on the question of maintaining the principle of compulsory pilotage, respectfully submit to the favourable consideration of Parliament their claims to protection in the following particulars:—

1. Compensation for loss of employment.
2. Protection against Unlicensed Pilots.
3. Limit to personal liability.
4. Retention of Gravesend as a pilotage station.

With respect to the first of these, "Compensation for loss of employment," they ask to be treated, in the event of compulsory pilotage being abolished, in precisely the same way as successive Governments and Parliaments have dealt with the interests of Clerks of the Peace on the passing of the "Criminal Justice Act," and with Proctors when Doctors' Commons was opened to the legal profession in general. Let an average of the earnings of licensed pilots be taken and verified for the five years preceding the passing of the Act; let each year's subsequent earnings be similarly ascertained, and the deficiency (if any) awarded by the Commissioners of the Treasury. If the views of the promoters of the Bill prove correct, the amount required for compensation will be inconsiderable; if, on the other hand, the fear of the pilots be well founded, that many of them will, after years of exertion, be left in the decline of life, and without any fault of their own, destitute of means of subsistence, it is but just and reasonable that they should be treated in like manner as other classes of the community whose business and employment have been similarly affected by legislative interference.

2. With reference to the second point to be provided for, "Protection against Unlicensed Pilots," it is contended that if pilotage is to be no longer compulsory, yet in case the master of a ship resolves to take a pilot, it is a duty to his owners and the public that such pilot should be duly qualified and licensed, like a surgeon or a lawyer.

If licensed pilots *are* to exist, and to be subjected, as now by law, to an infinity of regulations, restrictions, and contributions, and to a variety of conditions and penalties, they must be protected against unlicensed persons who, not being so subject, are enabled to compete in the performance of certain pilotage duties in fine weather on conditions most unfavourable to licensed pilots, and who, as well as the masters of ships employing them, resort to the most ingenious schemes to evade detection. Clauses are, therefore, necessary, making the presence of an unlicensed pilot on board a vessel (after a licensed pilot has tendered his services) *primâ facie* evidence that he is in charge, and giving a licensed pilot the right of going on board a ship to tender his services, and ascertain whether an unlicensed pilot is concealed therein.

3. In regard to the third point, the liability of pilots for damages accruing in the exercise of their calling has always hitherto been limited by the Legislature. The peculiarly responsible nature of their occupation, the extreme difficulties of distinguishing in critical positions between carelessness and prudence, unskilfulness and mere error of judgment, gross negligence and inevitable accident, renders the legal liability of pilots an exceptional case. They ask in this respect that their responsibility be limited as hereinbefore.

To leave them liable in case of accident or error in judgment, or what a jury in its proverbial ignorance of nautical matters might consider carelessness or want of skill, to the full damages which might follow, would be not only cruelly unjust, but would inevitably tend to defeat its own object. The knowledge of the fearful extent of the risk would, in emergencies, paralyse and unnerve the strongest and coolest mind, until at length no sane men would venture to take charge of a ship without first divesting himself of all his property.

The pilot is also by the form of the Bill to provide two sureties in 100*l.*

If it is intended that the sureties are to be liable only in case of breach by the pilot of the regulations and bye-laws of the Trinity Board, the provision is not very objectionable; but if it be intended (and the Bill is not clear on this point) that the sureties should be liable to damages for neglect or want of skill of the pilot, the clause is most objectionable, as it would be practically impossible for pilots to obtain sureties to incur gratuitously a risk and responsibility which insurance offices and underwriters will not undertake on any terms.

4. The pilots further respectfully urge that the words "So nevertheless that no pilot shall be hereafter licensed to conduct ships both above and below Gravesend," omitted from the present Bill, be restored therein.

These words were inserted by Mr. Cardwell in 1854, after much discussion and consideration, in compliance with a memorial very numerously and influentially signed by underwriters, merchants, and shipowners of the Port of London, representing that the proposal at that time made (as in the present Bill) to permit sea pilots to navigate ships to London was calculated to be injurious to their property; that it would entirely deprive of their occupation a large body of deserving men who had entered the river pilot service with a belief that it would be permanent; and who, having been brought up to that particular branch of pilotage, were best skilled in the management of a crowded river; that no practical benefit would be conferred upon the public by the change; and that a previous attempt to extend this branch of pilotage to sea pilots had been found impracticable, and

Appendix (A).

accompanied with danger and damage to property, and had, after two years' trial, been condemned and repealed.

The same reasons exist now as in 1854, but in a stronger degree, and the pilots represent the proposed change to be unnecessary and injurious.

(No. 13.)

STATEMENT of the TRINITY SEA PILOTS against the proposed "Bill to abolish Compulsory Pilotage."

THE Trinity Sea Pilots are divided into two bodies; 49 reside in London, and the remaining 50 are stationed at Gravesend. There are likewise 75 Trinity river pilots stationed at Gravesend.

The sea pilots respectfully urge upon the House of Commons that, should the Bill pass into law, their claim to compensation for loss of employment (which in all probability will happen to them) should be considered, and some method be adopted by Parliament for fixing and determining the same. Should the pilotage business decrease, and the sea pilots fear it will, it would be exceedingly hard upon a body of men who have left the command of sea-going ships for so many years, several of whom are getting old, and have been replaced by younger men, to be virtually thrown out of employ and left to begin life again, and, though no act of their own, to become almost destitute. It is submitted that the above statement will entitle them to the favourable consideration of Parliament on this head.

They desire to draw the attention of the Select Committee to paragraph 6, in section 2, of the proposed Bill, and to state that if it should transpire that the Trinity House have inadvertently made a pilot since the 15th February 1870, the right to claim the compensation, as proposed by the Bill, will be lost, they would urge the Select Committee to alter this paragraph, and further beg to state that, if the Bill is to be for two years before compensation can be claimed, it would ruin half the Gravesend branch of sea pilots, whose means of gaining a livelihood are now so much plundered by regular unlicensed men concealed in ships going away in ballast, under the provisions of the Order in Council of 1861.

They likewise beg to rivet the attention of the Select Committee to the constant fraud practised on them by the unlicensed men who are in the regular habit of piloting ships in ballast to sea, to the great loss of employment of the Gravesend branch, and thereby rendering that station almost useless. This has been brought about:—

1st. By the Order in Council of the 21st November 1855, authorising ships *in ballast*, on producing a certificate from Trinity House of their being so, for the master to navigate the ship himself.

2nd. By an Order in Council, 16th July 1857, affecting the 397th section, Merchant Shipping Act, 1854, extending the exemption to all ships mentioned in such section, whether carrying passengers or *not*.

3rd. By the Order in Council of the 25th July 1861, extending the exemption from compulsory pilotage to *all* ships in ballast when piloted by the master.

The sea pilots at Gravesend kept a book for a short time, from 3rd July 1861 till 30th May 1862, which shows a total of 95 ships in ballast that passed down the river through Gravesend in charge of regular unlicensed men actually logged; but this is not half of the real number.

They respectfully submit that the penalty imposed by the 3rd section of the Bill should be a minimum of 10 *l.*, and that a clause be inserted making the presence of an unlicensed man on board, *primâ facie* evidence of his being in charge, and that, in the case of an English ship, the penalty for taking such unlicensed man should be levied on any one or more of the owners, and in the case of a foreign ship, on the captain.

That the liability of the pilot should be limited to 100 *l.*

A great hardship is inflicted on the Gravesend branch of the sea pilots by keeping the sea pilot station up, and compelling them to reside there and so lose employment; this might be remedied by extending their license to London, which is the seat of employment, and so enable them to seek for work. There are not any ships in Gravesend, and it costs the owner, according to draught of water, from 7 *s.* to 6 *l.* 7 *s.*, if he first engages a river pilot to take him down the river, and a sea pilot thence to the Downs. If the station were abolished this would be a great saving of expense to shipowners.

RATES of PILOTAGE in the London District, from London to Sea.

SCALE showing the Amount a Shipowner has to Pay for One Pilot from London to Sea, and the greater Amount he has to Pay for Two Pilots; viz., a River Pilot from London toGravesend, and a Sea Pilot from thence to Sea; also, showing the difference of Pilotage saved by employing One Pilot only throughout.

Draught of Water.	Pilotage Rate for One Pilot, from London to the Downs.	Two Pilotage Rates for River and Sea Pilots, from London to the Downs.	Difference between One and Two Pilots.
	£. s. d.	£. s. d.	£. s. d.
7 feet - - -	5 – –	5 7 –	– 7 –
8 „ - - -	5 15 –	6 7 –	– 12 –
9 „ - - -	6 10 –	7 7 –	– 17 –
10 „ - - -	7 5 –	8 7 –	1 2 –
11 „ - - -	8 – –	9 7 –	1 7 –
12 „ - - -	8 15 –	10 7 –	1 12 –
13 „ - - -	9 10 –	11 7 –	1 17 –
14 „ - - -	10 7 –	12 9 –	2 2 –
15 „ - - -	11 4 –	13 13 –	2 9 –
16 „ - - -	12 4 –	15 2 –	2 18 –
17 „ - - -	13 4 –	16 11 –	3 7 –
18 „ - - -	15 9 –	18 16 –	3 7 –
19 „ - - -	17 14 –	21 1 –	3 7 –
20 „ - - -	20 4 –	24 6 –	4 2 –
21 „ - - -	22 14 –	27 11 –	4 17 –
22 „ - - -	25 14 –	31 6 –	5 12 –
23 „ - - -	28 14 –	35 1 –	6 7 –

The above scale shows the disadvantage it is to the sea pilots stationed at Gravesend, also to the shipowner having to pay that amount when compelled to employ two pilots.

(No. 14.)

ORDER in COUNCIL relating to the Pilotage of the London and English Channel Districts.

At the Court at Osborne House, Isle of Wight, the 1st day of November 1862;

Present—The Queen's Most Excellent Majesty in Council.

WHEREAS by the 333rd section of "The Merchant Shipping Act, 1854," it is enacted that, subject to the provisions contained in the fifth part of that Act, it shall be lawful for every pilotage authority, by bye-law made with the consent of Her Majesty in Council from time to time, to do within its districts all or any of the things specified in that behalf in the said section.

And whereas the Trinity House Corporation being the pilotage authority under the said Act for the London and English Channel districts, the limits whereof now are "the waters of the Thames and Medway as high as London Bridge and Rochester Bridge respectively, and also the seas and channels leading thereto or therefrom, as far as Orfordness to the north and Dungeness to the south, and the seas between Dungeness and the Isle of Wight," has submitted for the consent of Her Majesty in Council the bye-law, a copy whereof is set forth in the schedule hereunto annexed, with respect to the pilotage of the said London and English Channel districts.

And whereas it has been made to appear to Her Majesty that the said bye-law is proper and reasonable;

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to approve, and doth hereby approve of and signify her consent to the said bye-law as a bye-law of the said Trinity House with respect to the pilotage of the London and English Channel districts.

(signed) *Arthur Helps.*

SCHEDULE to which the foregoing Order refers.

FROM and after the first publication in the London Gazette of the Order signifying the consent of Her Majesty in Council to this bye-law, there shall be paid to all Trinity House pilots, for all ships piloted within the limits of the London and English Channel districts, such dues in respect of their pilotage services as are specified in the Table following:—

TABLE of the RATES of PILOTAGE to be Demanded and Received by Pilots Licensed by the Corporation of Trinity House of Deptford Strond, or acting as such under the Authority of the Acts of Parliament, 6 Geo. 4, c. 125, 16 & 17 Vict. c. 129, and 17 & 18 Vict., c. 104, for Piloting Ships and Vessels within the Limits, in the said Table mentioned.

FROM	TO	7 Feet and Under.	8 Feet.	9 Feet.	10 Feet.	11 Feet.	12 Feet.	13 Feet.	14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet.
		£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.
The Isle of Wight and *vice versâ*	The Downs - - - -	3 10	4 –	4 10	5 –	5 10	6 –	6 10	7 2	7 14	8 9	9 4	10 4	11 4	12 14	14 4	16 4	18 4
Off Dungeness to off Folkestone, the Church bearing N.N.W. by compass, and *vice versâ* -	- ditto - - - - -	– 18	1 –	1 2	1 4	1 6	1 8	1 10	1 13	1 16	2 –	2 4	2 9	2 14	3 –	3 6	3 16	4 6
Off Folkestone to the South Foreland—the Lights in one, and *vice versâ* - - -	- ditto - - - - -	– 10	– 12	– 14	– 16	– 18	1 –	1 2	1 5	1 8	1 12	1 16	2 1	2 6	2 12	2 18	3 6	3 14
The Sea, the Downs, Orfordness, or Hoseley Bay, and *vice versâ* - - - -	The Nore or Warps - -	3 5	3 14	4 3	4 12	5 1	5 10	5 19	6 9	6 19	7 15	8 11	9 11	10 11	11 16	13 1	14 16	16 11
	Sheerness, Stangate Creek, or Blackstakes - - -	3 14	4 5	4 16	5 7	5 18	6 9	7 –	7 13	8 6	9 4	10 2	11 7	12 12	14 4	15 16	17 16	19 16
	Gravesend or Chatham - -	4 3	4 16	5 9	6 2	6 15	7 8	8 1	8 16	9 11	10 11	11 11	13 1	14 11	16 11	18 11	20 16	23 1
Pilots duly licensed to conduct Vessels beyond Gravesend, either inwards or outwards, and continuing in charge to or from any of the within mentioned places, as the case may be, are to be paid — The Sea, the Downs, Orfordness, or Hoseley Bay, and *vice versâ* - -	Long Reach or Greenhithe -	4 7	5 1	5 15	6 9	7 3	7 17	8 11	9 6	10 1	10 19	11 17	13 12	15 7	17 12	19 7	22 7	24 17
	Erith - - - - - -	4 12	5 6	6 –	6 14	7 8	8 2	8 16	9 12	10 8	11 8	12 8	14 8	16 8	18 13	20 18	23 13	26 8
	Woolwich or Blackwall - -	4 14	5 9	6 4	6 19	7 14	8 9	9 4	10 –	10 16	11 16	12 16	14 16	16 16	19 6	21 16	24 11	27 6
	Moorings, London Docks, City Canal, or St. Katharine's Docks - - - - -	5 –	5 15	6 10	7 5	8 –	8 15	9 10	10 7	11 4	12 4	13 4	15 9	17 14	20 4	22 14	25 14	28 14
— The Nore, or Warps, and *vice versâ* -	Greenhithe, Long Reach, or Chatham - - - - -	2 2	2 7	2 12	2 17	3 2	3 7	3 12	3 18	4 4	4 12	5 –	5 10	6 –	6 15	7 10	8 8	9 16
	Erith - - - - - -	2 5	2 11	2 17	3 3	3 9	3 15	4 1	4 8	4 15	5 6	5 17	6 12	7 7	8 5	9 3	10 8	11 13
	Woolwich or Blackwall - -	2 10	2 16	3 2	3 8	3 14	4 –	4 6	4 16	5 6	5 18	6 10	7 5	8 –	9 –	10 –	11 10	13 –
	Moorings, London Docks, City Canal, or St. Katharine's Docks - - - - -	2 18	3 5	3 12	3 19	4 6	4 13	5 –	5 10	6 –	6 12	7 4	8 4	9 4	10 9	11 14	13 4	14 14
The Nore, or Warps, and *vice versâ* - - - -	Sheerness, Stangate Creek, or Blackstakes - - -	– 17	1 –	1 3	1 6	1 9	1 12	1 15	1 18	2 2	2 6	2 10	2 14	2 18	3 2	3 6	3 10	3 14
	Gravesend - - - -	1 15	2 –	2 5	2 10	2 15	3 –	3 5	3 11	3 17	4 5	4 13	5 5	5 17	6 13	7 9	8 9	9 9

Gravesend Reach, and *vice versâ*	Greenhithe or Long Reach	9 –	– 13	– 17	1 1	1 5	1 9	1 13	1 18	2 3	2 9	2 15	3 2	3 6	3 11	4 6	4 18	5 10
	Erith	– 15	1 –	1 5	1 10	1 15	2 –	2 5	2 11	2 17	3 4	3 11	4 1	4 11	5 5	5 19	6 17	7 15
	Woolwich or Blackwall	1 –	1 6	1 12	1 16	2 4	2 10	2 16	3 4	3 11	3 19	4 7	4 19	5 11	6 11	7 11	8 16	10 1
	Moorings, London Docks, City Canal, or St. Katherine's Docks.	1 4	1 11	1 18	2 5	2 12	2 19	3 6	3 14	4 2	4 11	5 –	5 15	6 10	7 15	9 –	10 10	12 –
	Sheerness, Stangate Creek, or Blackstakes.	2 10	2 15	3 –	3 4	3 10	3 15	4 –	4 7	4 14	5 4	5 14	6 6	6 18	7 13	8 8	9 6	10 4
	Chatham	2 18	3 3	3 8	3 13	3 18	4 3	4 8	4 15	5 2	5 12	6 2	6 17	7 12	8 5	9 8	10 8	11 8
Erith Reach, and *vice versâ*	Woolwich or Blackwall	– 15	– 18	1 1	1 4	1 9	1 14	1 19	2 5	2 11	2 18	3 5	3 13	4 1	4 11	5 1	5 13	6 5
	Moorings, London Docks, City Canal, or St. Katherine's Docks.	1 1	1 4	1 7	1 10	1 15	2 –	2 5	2 11	2 17	3 4	3 11	3 19	4 7	4 17	5 7	5 19	6 11
Greenhithe, or Long Reach, and *vice versâ*	Woolwich or Blackwall	– 17	1 –	1 3	1 6	1 12	1 18	2 4	2 12	3 –	3 9	3 18	4 8	4 18	5 16	6 14	7 14	8 14
	Moorings, London Docks, City Canal, or St. Katherine's Docks.	1 3	1 6	1 9	1 14	2 2	2 10	2 18	3 6	3 14	4 3	4 12	5 4	5 16	6 11	7 6	8 11	9 16
	Sheerness, Stangate Creek, or Blackstakes.	2 18	3 1	3 4	3 7	3 14	4 1	4 8	4 15	5 2	5 10	5 18	6 8	6 18	7 13	8 8	9 6	10 4
	Chatham	3 6	3 9	3 12	3 15	4 3	4 11	4 19	5 7	5 13	6 3	6 13	7 8	8 3	8 14	9 4	10 19	11 19
Woolwich or Blackwall, and *vice versâ*	Moorings, London Docks, City Canal, or St. Katherine's Docks.	– 17	1 –	1 3	1 6	1 9	1 12	1 15	1 18	2 2	2 6	2 10	2 14	2 18	3 2	3 6	3 10	3 14
	Sheerness, Stangate Creek, or Blackstakes.	3 6	3 10	3 14	3 18	4 2	4 10	4 18	5 8	5 18	6 10	7 2	7 14	8 5	8 14	10 10	11 15	13 –
	Chatham	3 14	3 17	4 –	4 3	4 11	4 19	5 7	5 17	6 7	6 19	7 11	8 5	8 14	9 4	11 –	12 5	13 10
Chatham	Sheerness, Stangate Creek, or Blackstakes.	1 15	1 18	2 1	2 4	2 11	2 18	3 5	3 12	3 19	4 6	4 13	5 –	5 7	5 14	6 1	6 11	7 1

From Sea in or out of Ramsgate, Margate, Dover, or Sandwich Harbours, 5 *s.* per foot of the Vessel's Draught of Water.

For Vessels exceeding 23 feet, an increase in the Rates for each foot or part of a foot, in the same proportion as between 22 and 23 feet.

ppendix (A).

The several rates and prices specified above are subject to a reduction of one-fourth part, in respect of vessels propelled by steam, and vessels towed by steam vessels, provided that if any such vessels shall be propelled by steam, or towed by a steam vessel for a part only of the distance for which any such rate or price may be payable, the reduction of one-fourth shall be made on such part only of the said rate or price as shall be proportionate to the distance so propelled or towed.

For putting a Pilot on Board a Vessel either from the Cutters or from the Shore.

60 Tons and under 150.	150 Tons and under 250.	250 Tons and under 400.	400 Tons and under 600.	600 Tons and under 1,000.	1,000 Tons and upwards.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1 – –	1 5 –	1 10 –	2 – –	2 10 –	3 3 –

Vessels not exceeding 70 tons, chiefly laden inwards with fish, corn, or other provisions, are to pay during the summer months, viz.: from Lady-day to Michaelmas-day inclusive, the following rates only, viz.:—

	£. s. d.
From Sea to London, or *vice versâ* - - - - -	4 14 6
„ Gravesend to London, or *vice versâ* - - - -	1 5 –

Vessels exceeding 70 tons and not exceeding 100 tons, chiefly laden inwards with fish, corn, or other provisions, are to pay during the summer months, viz.: from Lady-day to Michaelmas-day inclusive, the following rates for the outward voyage, viz.:—

	£. s. d.
From London to Gravesend - - - - - - -	1 5 –
„ Ditto to the Nore - - - - - - - -	2 18 –
„ Ditto to the Sea - - - - - - - -	5 5 –

A pilot taking charge of a foreign vessel, on board of which there may not be any individual qualified to interpret his orders, shall be authorised to employ a person to assist him as leadsman or interpreter; provided it be distinctly understood that the necessity for the employment of such person shall be proved to the satisfaction of the Corporation of Trinity House, in which case only the following rates shall be chargeable in addition to the regular pilotage, viz.:—

	£. s. d.
For the whole run from Sea to Gravesend - - - -	2 10 –
„ do from Gravesend to Sea - - - -	1 – –

The additional rate, for intermediate portions of a foot in the draught, to be regulated as follows, viz.:—

For three inches and under - - - - -	No addition.
For more than three inches and under nine inches -	The medium between the two rates.
For nine inches and upwards - - -	The rate for the next foot.

For removing a ship or vessel from moorings into a dry or wet dock, or from one part of the river situated above Blackwall to another part of the river so situated:—

	£. s. d.
For a ship under 300 tons - - - - - - -	– 15 –
Ditto of 300 to 600 tons - - - - - - -	1 1 –
Ditto of 600 to 1,000 tons - - - - - -	1 11 6
Ditto *above* 1,000 tons - - - - - - -	2 2 –

In the Thames above Gravesend,

For a boat of a class carrying an anchor above 4 cwt. with a corresponding tow line - - - - - - -	2 2 –
For a boat of a class carrying an anchor of above 2 cwt. -	1 1 –
Ditto ditto under 2 cwt. -	– 15 –

Per trip for the whole distance from Gravesend to London, and in proportion for any part of that distance,

And for each man's service in those boats 8 *s.* per tide.

(No. 15.)

ORDER in COUNCIL confirming Pilotage Bye-laws of the Mersey Docks and Harbour Board.

At the Court at Buckingham Palace, the 26th day of June 1861,

Present:—The Queen's most Excellent Majesty in Council.

WHEREAS by the 332nd section of "The Merchant Shipping Act, 1854," it is enacted that every pilotage authority shall have power by bye-law made with the consent of Her Majesty in Council, to exempt the masters of any ships or of any class of ships from being compelled to employ qualified pilots, and to annex any terms or conditions to such exemptions, and to revise and extend any exemptions now existing by virtue of that Act or any other Act of Parliament, law or charter, or by usage, upon such terms and conditions, and in such manner as may appear desirable to such authority. And whereas by 333rd section of the same Act it is enacted that subject to the provisions contained in the fifth part of the said Act, it shall be lawful for every pilotage authority by bye-law made with the consent of Her Majesty in Council from time to time to do within its district all or any of the things specified in that behalf in the said section. And whereas the Mersey Docks and Harbour Board being the pilotage authority for the Port of Liverpool, and in the seas and channels leading into and adjacent thereto, according to the meaning of the said recited Act, have submitted for the consent of Her Majesty in Council the several bye-laws relating to the pilotage of the said district, of which a copy is contained in the first and second Schedules hereunto annexed. And whereas it has been made to appear to Her Majesty that all the said bye-laws are proper and reasonable. Now, therefore, Her Majesty by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to approve, and doth hereby approve and signify, Her consent to the said bye-laws, as bye-laws of the said Mersey Docks and Harbour Board with respect to the pilotage of the said district.

Arthur Helps.

SCHEDULES ABOVE REFERRED TO.

SCHEDULE I.

BYE-LAWS made by the Mersey Docks and Harbour Board with respect to Pilots, Pilot Boats, and Pilotage.

123. The office of the Pilotage Committee shall be open during the office hours of the Mersey Docks and Harbour Board, and the secretary shall constantly attend for the purpose of receiving reports and transacting such other business as may be required of him; he shall also summon all meetings of the committee, as well as all persons whose attendance may be required by the Committee.

124. The duties of the superintendent shall be as follows:—To exercise a supervision and control, under the Board, over all the master pilots, pilots, and apprentices, so as to see that the Act and these bye-laws are duly observed by all in their respective departments; to exact from the master pilots and pilots a report of all occurrences affecting the service, on which the Pilotage Committee or himself may require information; and it shall be his especial duty to see that the stations are effectively occupied day by day, and he shall have posted in the office, every day, the numbers of the boats on the several stations, and shall report to the committee every case of misconduct, or breach of the bye-laws that may occur. The time of the superintendent shall be wholly devoted to the service of the Board, and his office hours shall be those of the Board.

125. Every pilot boat shall have three masters, to be called the first, second, and third masters, and the masters or owners of each boat shall be jointly entitled to take 10 apprentices, but they are not to have a greater number than 10 in respect of one boat at any time. The pilots shall be appointed to their respective boats by the Board, so, and in such manner, that each boat may carry an equal number, or as nearly so as is practicable; and no pilot shall be removed from a boat to which he shall have been appointed by the Board, without three months' notice in writing on the part of the masters or the pilot, and a copy of such notice shall be left with the clerk of the committee, who shall record the date when it is received.

126. The first and second masters of each pilot boat (and the third master also in case of necessity), are to take command and proceed to sea in her by turns, and the master remaining on shore shall appoint pilots to outward bound vessels, and transact the other necessary business of the boat. Every master shall maintain due subordination, sobriety,

Appendix (A).

and good order, amongst the crew of his boat, both at sea and in port, and shall, whilst in turn for boarding vessels, always use his utmost exertions to approach and board vessels requiring pilots; and every pilot, or other person, serving on board, or belonging to the boats, shall at all times cheerfully submit to and execute all the lawful commands of the master. The masters shall on no occasion leave the boats when at sea, except in cases of emergency. They shall keep exact journals of the proceedings of every cruise, which shall contain, in particular, accounts of all vessels boarded or piloted inwards, and the time and place of boarding them; and shall enter in their journals, every two hours, the position of their boats. Whenever the committee may require it, a copy of the journal of any cruise signed by the master in command for that cruise, shall be sent into the office in time to be submitted to the committee at their next following meeting. The masters shall instruct their apprentices in the use af charts, and in all other matters, a knowledge of which is by the bye-law numbered 129, required of apprentices on their applying to be licensed.

127. All pilots shall repair to their respective boats, and proceed in them to their stations, whenever and as often as they are required by the masters, and no pilot, while on service, shall under any pretence whatever, leave his boat save on duty. Every pilot when not actually employed, shall attend daily, at such time and place as may be fixed upon and appointed for that purpose by the master of the boat to which he belongs, to receive such orders and directions as may then and there be given by the said master; and in case the owners, masters, and crew of any boat shall suffer any loss by reason of the non-attendance or neglect of any pilot, such loss shall be borne by the pilot so neglecting or refusing to attend. Every pilot shall, whenever he is required, assist, as far as he is able, in performing all necessary repairs to the boat, her rigging, sails, and materials; and in case of refusal or neglect, the master may employ another person in his stead, the expense whereof shall be deducted from his share of the earnings of the said boat. He shall use his utmost care and diligence to conduct the ships and vessels under his charge without damage or doing injury to others; and shall behave himself with strict sobriety, and due respect towards the owners, masters, and officers thereof. He shall order the ensign to be hoisted on entering the port; and on his arrival from sea, either in charge of a vessel or otherwise, he shall as soon as possible give notice thereof to the master of the boat to which he belongs; and shall not leave his vessel until she is safely anchored in the river; nor then leave her without a written permission from the commander, or on being relieved by a pilot of equal class by order of one of the masters of the boat. He shall duly keep the lead going when in charge of any ship or vessel while under weigh; and shall report to the committee all accidents which may have happened to such vessel while under his direction, within 24 hours after his discharge; and no pilot shall lay any vessel aground without a written order from the owner or master. He shall always have with him, when on duty, a good watch, a tide table, a copy of Part 6 of "The Mersey Dock Acts Consolidation Act, 1858," and of so many of these bye-laws as relate to pilots, pilot boats, and pilotage, his license, and a pilot flag, as described in the bye-law numbered 145. On taking charge of a vessel, he shall exhibit his licence to the officer in command. In the case of outward bound vessels, he shall repair on board in sufficient time before leaving the dock or basin to ascertain if the vessel he is about to take charge of is ready for sea, or to anchor in the river. When received on board a pilot boat from an outward bound ship or otherwise, he shall submit to the authority and direction of the master while he remains on board such boat, in all respects as if he were one of her own crew. He shall obey and execute all orders received from the Board or the committee, their secretary, or the superintendent.

128. Candidates for apprenticeship will be required to prove, to the satisfaction of the Board, that they are able to read and write correctly, and that they have a competent knowledge of arithmetic, before they can be considered eligible for the pilot service. They may then be admitted into one of the following classes:—

1. Candidates of not less than 16 years of age, having served three years at sea, partly in square rigged vessels, shall (if approved by the Board) after one month's probation, be apprenticed for seven years, and be eligible for examination for a third class license, at the expiration of three years' apprenticeship.

2. Candidates of not less than 15 years of age, having served 18 months at sea, partly in square rigged vessels, shall (if approved by the Board) after 12 months' probation, be apprenticed for seven years, and be eligible for examination for a third-class license, at the expiration of three years' apprenticeship.

3. All other candidates, not less than 15 years of age, shall, after 12 months' probation (if approved by the Board), be apprenticed for seven years, and be eligible for examination, for a third-class license, at the expiration of four years' apprenticeship.

The proposed indentures and satisfactory testimonials, including a surgeon's certificate that the candidate is of sound health, shall in every case be submitted to the Board; and after the indentures have been approved by the Board and signed by the masters and apprentice, they shall not be cancelled by any private agreement, without the permission of the Board; but the Board shall have the power of cancelling any such indenture, either at the request of the parties, or upon any misconduct on the part of the apprentice deserving in the judgment of the Board of such punishment, and all indentures shall, by express stipulation therein contained, be made subject to the exercise of this power by the Board. The name of every candidate to be entered in the Pilot's Character Book on his first entering the service.

129. No.

129. No person, having served in a Liverpool pilot boat, according to the provisions of the preceding bye-law, shall be licensed to act as a pilot, until he shall also have passed a creditable examination on the following subjects :—

He must be able to give a correct and seamanlike description of the harbours, docks and piers of Liverpool, Birkenhead, Garston, Chester, Beaumaris, Holyhead, Isle of Man, Pile of Foudre, and Fleetwood; he must know the course and distance between any two places within the limits prescribed by the Board; the rise and set of the tides; the depth and character of the soundings; the best anchorages and where to stop a tide; the sandbanks, rocks, shoals, and other dangers; the landmarks, buoys, perches, and lights; the variation and deviation of the compass, and the application thereof; he must be able to set off a ship's position on the chart; he must understand the complete management of a vessel; to bring her to anchor, and to keep her clear of her anchor in a tide way; to moor, unmoor, and get under weigh; and how to handle a vessel under any circumstances.

He must further produce certificates of service as assistant pilot and leadsman in vessels under the charge of a first-class pilot, inward and outward, for every cruise of his boat for 12 months; such certificates to be obtained after the second year of apprenticeship. He must also produce a certificate from his masters as to his conduct and sobriety; and no pilot shall receive a full license without the production of a satisfactory certificate from his masters, unless there shall appear to the Board good reason for deviating from this regulation.

Second and third-class licenses will not be granted between the 25th of September and 25th of March.

130. Second and third-class pilots are limited (except in cases of necessity) to conduct vessels of, but not exceeding, the undermentioned registered tonnage and draught of water, viz. :—

Pilots, 2nd class	-	-	500 tons	-	- 16 feet.
Pilots, 3rd class	-	-	250 tons	-	- 12 feet.

Any vessel exceeding the given tonnage and draught which may from necessity take on board a pilot of a class not authorised to conduct her, shall, if possible, exchange him for a duly-authorised pilot, out of any boat she may meet, and such boat shall make the exchange, in order that he may be forwarded to the boat on the first western station, to be put on board the first vessel requiring a pilot of the class to which he belongs, and every pilot shall inform the master of any vessel he may be put in charge of, of his true position in the service.

131. Every pilot-boat must be of the burthen of 40 tons or upwards, and must be painted in uniform colours, viz., black bulwarks; yellow sheer streak and gunwale; paint streak, green; black bends; white to copper or water line. She must be kept in good repair, and well found with masts, rigging, sails, anchors, cables, and every other necessary material, and shall always have on board an approved chart of the Bay of Liverpool, on which the boundary lines of the several stations hereafter mentioned shall be distinctly marked by the superintendent; also charts of the latest survey of the River Dee, Beaumaris, Holyhead, Isle of Man, Pile of Foudre, and Fleetwood, for the use of the pilots and apprentices; a good telescope, two lanterns, and a swivel, or other small gun, for the purpose of making and answering signals. She must have her number painted on each bow, in white, in figures as large as the depth of the black paint will admit of; and the same number must be painted upon her main and foresails in black figures four feet long. The number on the sails must be painted on the third and fourth cloths from the after leech, and on the mainsail at an equal distance between the upper reef and the gaff. Her name and number, together with the name of the first master, and the port to which she belongs, shall also be painted in large letters and figures upon her stern, one inch broad, and three inches long; and good and sufficient accommodations must be provided for the master and crew, at the expense of the owners.

132. The boats shall be stationed as follows, viz. :—The first and second boats shall cruise off Point Lynas, or to the northward and eastward of it, as wind and weather may permit, or circumstances may require; but not further to the westward than the Middle Mouse, or eastward than Priestholm Island, bearing S.S.W. by compass.

The duty of the first boat shall be to offer the services of, and to furnish, pilots to all vessels inward-bound, and for that purpose the master shall use his best endeavours to speak all such inward-bound vessels as may come within the limits of his station, without respect to their being from a foreign voyage, or otherwise. And if it become necessary for this boat to chase any vessel to the northward, or out of the fair-way track, the second boat shall remain on such station, and board all vessels wanting pilots, which vessels shall be exchanged at the end of the cruise.

The duty of the second boat shall be to be near the first, and to see that the master of the first boat does his duty; and also to board and give pilots to any vessels homeward-bound, that may not have been boarded by the first boat; and, in case the master of the first boat shall refuse, neglect, or omit to put a pilot on board any such vessel requiring one, the master of the second boat shall furnish such vessel with a pilot, and shall note the circumstance, with all the particulars of time, place, and weather, in his journal; and, im-

Appendix (A).

mediately on his return to Liverpool, shall report the same to the committee. And as soon as the first boat has left her station, the second boat shall succeed to it.

The third boat shall cruise to the eastward of Point Lynas, but not further eastward than the west end of the Great Ormshead, bearing S.S.W. by compass, and board any vessels that may pass the first and second boats, and when the second boat has left her station, this boat shall succeed her.

The fourth boat shall cruise as far west as the eastern limit of the third boat, and eastward until Barland bears S.S.W. by compass. The duty of this boat shall be to board and furnish pilots to all vessels requiring them within the limits of her station, whenever the second and third boats may be out of sight, or refuse or neglect to board, or whenever such vessels shall have passed the limit of the third boat's station; and to see that the second and third boats perform their duty, in like manner as the second boat is to look after the first. And when the third boat has left her station, this boat shall succeed her.

The station of the fifth boat shall be to the westward of the N.W. Light-ship, so far as to keep sight of it from the deck, and shall come to the light-ship for the purpose of being relieved, when the boat which is to relieve her arrives at the Bell Buoy, or N.W. Light-ship, and when relieved she shall take the station of the fourth boat.

The duty of the sixth boat shall be to board all vessels that are to the eastward of a line drawn from the Point of Ayr and the N.W. Light-ship, and all vessels to the northward, when the first boat is not within a reasonable distance, and she shall, every day after high water, stretch over towards the Bell Buoy, for the purpose of taking pilots out of vessels going to sea.

The seventh boat shall follow and take the pilots out of vessels outward-bound, for which purpose one of the masters, all the apprentices, and as many pilots belonging to the said boat as shall be required by the master, shall be on board; and as soon as all the pilots are taken on board from vessels outward-bound, she is to return with them to Liverpool. This duty shall be performed by the next boat that has the turn for the second Hoylake Station.

133. The other boats shall be kept in constant readiness to perform any extra service that may occur, the last boat upon turn for regular service to have the preference; but none of them shall, without the order of the superintendent, leave the port, under any pretence whatever, save to assist vessels in distress, or other pressing emergency, or for the purpose of surveying the banks for the instruction of the crews and apprentices; and in case any boat shall be absent, save as aforesaid, when required to go upon the regular service of the port she shall forfeit her turn.

134. All boats are to take their turn or rotation for service in the same order as they arrive from sea, and in case of more boats than one leaving Liverpool, by order of the superintendent, to proceed to the stations at the same time, it shall be lawful for the first boat upon turn to commence boarding vessels, and furnishing them with pilots, as soon as she has got to the westward of the Hoylake Boat; but it is to be clearly understood, that this privilege extends only to boats actually on their passage to the westward stations, and not after they have arrived there, and that, in boarding vessels, when more than one boat is in sight, the first boat upon turn is, on all occasions, to take precedence.

135. The masters and crew of any boat convicted of boarding and piloting any ship or vessel out of her regular turn, shall forfeit every advantage gained thereby, in respect of pilotage inwards and outwards, to the masters and crew of the boat which may be declared by the committee to be entitled thereto.

136. All pilot boats, whilst upon their stations, and in turn for boarding vessels, shall, during daylight, and as the signal offering the services of a pilot, keep constantly flying at the mast-head a red and white flag of large dimensions, the upper horizontal half of which shall be white, and the lower half red; such flag to be carefully kept clean. During the night, the boat on turn for boarding shall exhibit lights, in accordance with the Admiralty regulations for the pilot service.

137. Every pilot-boat in the service shall, once in each year, commencing on the first day of April, in such rotations and at such times as may be fixed by the committee, having due regard to the interest and convenience of the service, sail to and make an accurate examination and survey of the following ports and places, namely: Lancaster, Pile of Foudre, River Wyre, and all ports in the Isle of Man, Holyhead Harbour, Beaumaris, and Chester. The secretary of the committee, or the superintendent, shall give notice, in writing, to the master of every boat ordered on this survey at least 24 hours before the time appointed for sailing, and shall go on board when the boat is ready for sea and muster the crew, when one of the masters, half of the pilots, and all the apprentices, are hereby directed and required to be present, and to proceed upon and remain on board during the survey, unless reasonable cause of absence can be shown to the satisfaction of the committee; and the masters and pilots shall go upon the survey by turns, so that each individual shall go once in two years. The master shall keep an exact and accurate journal of their proceedings, which shall contain all such remarks and information as he shall make or obtain relative to the lighthouses, landmarks, buoys, perches, and other sea-marks, as well as all rocks, sand-banks, and other dangers, and the depth of water within the limits of the survey. He shall obtain a certificate from some principal officer of the revenue at each of the ports above-mentioned that he has visited the port. The journal and certificates shall be delivered to the

secretary

secretary of the committee, or the superintendent, within 24 hours after his return to Liverpool. No more time shall be spent on the survey than is necessary for the purposes above-mentioned, nor must any ship or vessel be boarded by, or furnished with, a pilot from any boat whilst on the survey, except such ship or vessel shall be in distress, in which case the particulars of her situation shall be accurately noted in the journal.

138. Each master is required, after each arrival of his boat from sea, to enter in the Inward-bound Book, in the office, within one hour after such arrival, if in the day time, or if in the night, by nine o'clock in the morning following the arrival of his boat, from what station, the time, and where lying, and shall sign his name to such entry. And the master on shore shall enter in the Outward-bound Book the sailing of his boat, the number of the boat and men, the time when, and the place from which she has sailed, and to what station she is bound.

139. In the event of the first boat on turn not proceeding to its destination at the proper time, the master in charge shall thereupon become liable to the penalty hereinafter mentioned, and the second boat shall proceed to the station; and in case the master of the second boat shall neglect to do so, he shall thereupon become liable to the like penalty.

140. The boat following boat, or the boat sailing for the second Hoylake Station, shall (when required so to do by a written order from the superintendent) take any hands belonging to the boat next on turn for the Fourth Western or First Hoylake Station, and also to any other of the western boats; and the First Hoylake Boat, or Fourth Western Boat, shall receive any pilots so sent, and pass them on to the next western boat, and so on, until they have joined their own boat; but if she has boarded all her hands and left the station, then the boat bringing them down shall board them on the first vessels wanting pilots.

141. After boarding all hands at the western station, the boat to be relieved shall hoist a ball at her masthead, and keep it there until answered by telegraph, and the same signal is to be made when abreast of the N.W. Light-ship, until answered by a ball at Bidstone, as a signal for the next boat on turn to proceed.

142. The boat on the First Western Station, when she shall have boarded all her pilots except two first class, or four of the second and third class, shall (in order that she may return to Liverpool) transfer them to the second boat, which boat shall receive and board them on the first vessels requiring pilots of their class.

143. No master of a pilot-boat shall, without the sanction of the Board, carry to sea, or receive on board the boat, or in any other way assist in putting on board any ship or vessel, for the purpose of piloting or conducting her, any person either not duly licensed, or whose license shall have been suspended or withdrawn by an order of the Board, or which shall not have been renewed.

144. The earnings of each pilot-boat, including all compensations and rewards for assisting vessels in distress, shall be divided amongst the owners and crew in the following proportions, viz.:—

		Shares.
Owners	For the boat	$2\frac{1}{2}$
	For each licensed apprentice	$\frac{1}{32}$
	For all unlicensed apprentices	$1\frac{1}{2}$
Masters		1
Pilots—1st class		1
,, 2nd class		$\frac{3}{32}$
,, 3rd class		$\frac{3}{32}$

But the Board have power to alter such apportionments from time to time, in such manner as they shall judge most conducive to the interests of the service; and if any pilot shall be disabled from doing his duty by sickness or bodily hurt, he shall be entitled to two-thirds of a share of the said earnings for the space of three months, provided such sickness or hurt has not been occasioned by drunkenness, gaming, or other vice, the fact to be determined by the Board, upon such evidence as may be brought before them; and provided also that due notice be given to the superintendent and masters of the boat at the commencement of his sickness, accompanied by a medical certificate, if required by the Board.

Each pilot shall deliver all money received by him for pilotage, with an account and vouchers, to the master of the boat to which he belongs, on the day following that on which they are received; or, in case of such vouchers and money being received at sea, then they shall be delivered to the said master as soon as he, the said pilot, returns to port, or joins his boat at sea; and all claims for extra days shall be inserted in the certificate for pilotage, and signed for by the master of the vessel.

145. Every pilot shall provide himself with a flag three feet long by two feet broad, corresponding in colour and pattern with the distinguishing number of the boat to which he belongs. On taking charge as pilot of any vessel, he shall cause his flag to be hoisted on board such vessel, at the gaff-end, under the ensign, or wherever it may be most conspicuously

Appendix (A).

spicuously seen (except on the foremast), particularly by a pilot-boat in chase; and he shall keep his flag continually flying until he is discharged or relieved by another pilot. This bye-law shall apply to all vessels, outward or inward-bound, at sea or in port, under weigh or at anchor, and under all circumstances, so long as she is in charge of a pilot.

On perceiving a pilot-boat in chase by night, the pilot in charge of the vessel so chased shall cause a light to be hoisted where it may be best seen by the pilot-boat; and he shall direct that this light be lowered and re-hoisted every five minutes, as a signal that the vessel is provided with a pilot.

146. Pilots in charge of vessels at anchor in the river or channel, shall cause white lights to be constantly exhibited at night, one on the forestay, and the other at the gaff-end, to be not less than eight feet above the upper top-rail of the bulwarks, so long as at anchor in pilot water.

147. All pilots shall obey the bye-laws of the Board; and also all orders and directions that may be given to them by the water bailiff, harbour, dock, and pierhead masters, relative to the docking, towing, transporting, or removing vessels under their charge.

148. The following rates of pilotage shall be chargeable in respect of the neighbouring ports hereinafter mentioned, namely:—

Port of Chester, any part north of Hilbre Island—Liverpool rates.

Port of Chester, any part south of Hilbre Island—Liverpool rates and half as much more.

Lancaster, Fleetwood, or Pile of Foudre—Liverpool rates and travelling expenses.

Beaumaris.

Inward-bound: Liverpool rates and travelling expenses.

Outward-bound foreign putting into: Liverpool outward rates, half as much more, and travelling expenses.

Outward-bound coasting putting into: Liverpool outward coasting rates, half as much more, and travelling expenses.

All pilotage rates are to be charged for every foot of water a vessel may draw, and so in proportion for every half-foot, but no allowance to be made for any draught of water above or under half-a-foot, and no vessel, whatever may be her draught of water, to pay for less than eight feet. No vessel to be deemed a coasting vessel so as to be liable to a reduced rate for pilotage, unless she shall *bonâ fide* have been employed in the coasting-trade for six months; and, if trading outwards, shall sail from the port of Liverpool on a coasting voyage.

If the pilot be not discharged and the pilotage paid within two hours after the vessel is brought to anchor, or given into the charge of the pilots of the place she is bound to, he shall be paid 10 *s.* 6 *d.* a day for every day or part of a day he may be detained afterwards. Having conducted a vessel into any of the above ports, a pilot shall not join his boat again for the purpose of piloting any other vessel during the cruise on which the boat was engaged at the time he left her. No pilot shall make any agreement for, or receive any greater sum of money for pilotage, than is allowed by the Act of Parliament and these bye-laws.

Steamers or other vessels proceeding on an experimental trip not farther than the Bell Beacon or North West Light-ship, shall be charged full outward and half inward pilotage.

The rates for docking and transporting shall be as follows, viz.:—

From one dock to another - - - -	£. 1 - -
To or from Garston - - - - -	- 2 - -

The amount of compensation and travelling expenses to be allowed to pilots carried beyond limits (which are not provided for in this bye-law), or for extraordinary services shall, in every case, be decided by the Board.

149. Any pilot may, upon receiving written authority from the superintendent, proceed to any port or place in the United Kingdom, for the purpose of taking charge of and conducting any ship or vessel to the port of Liverpool. And no vessel having a pilot on board, under this regulation, shall be obliged to take another pilot, or shall be subject to any higher or other rate of pilotage than is established by these bye-laws or Act of Parliament.

150. The masters of steam vessels, trading from this port to Ireland or Scotland, requiring pilots, must apply to the superintendent, who shall thereupon cause to be appointed pilots to such vessels out of the crew of the pilot-boat having the steam turn (namely, the last but one upon turn for service), which pilots so appointed shall be at liberty, if required, to proceed and remain in such vessels during the whole of the voyage upon which they shall then respectively sail, and shall pilot them outward and inwards for which the usual and regular rates shall be paid, together with 10 *s.* 6 *d.* per day for every day of the pilot's absence from Liverpool, including the day of sailing from, and the day of ariving in, Liverpool. Every pilot, on his return from such voyage, not finding his own boat in port, shall be carried out in the next boat sailing for the station, and put on board his said boat. But in case she shall have returned to Liverpool before he arrives on the station, he shall then be boarded on the first vessel requiring a pilot.

151. Any

151. Any master of a pilot-boat sending a pilot to take charge of vessels beyond his license limit, except in cases of necessity, shall be fined in the sum of 5 *l.*, subject to be reduced by the Board if they should think fit.

152. For every extension of license the sum of one guinea shall be paid; and on the renewal of any license in place of one lost, the fine of three guineas shall be levied, subject to be reduced by the Board if they think fit.

153. Pilots in charge of ships or vessels, on being hailed by any pilot-boat, shall, on all occasions, give a true account of the time when they were boarded, and the number of pilots left on board the boat to which they belong. And all master of pilot-boats, when on any of the westward stations, are also to give a true account of the number of pilots they have on board, whenever they are required so to do by the master of any other pilot-boat.

154. No owner, part owner, or master of any pilot-boat, nor any pilot, or licensed apprentice, shall, at any time while acting as such, have or hold any share or interest in any steam tug company, or in any steam tug or any steamboat occasionally used for the purpose of towing vessels.

155. All instances of neglect of duty shall be brought before the Board, and no master pilot shall compromise any offence of a pilot.

156. All complaints of offences against the Act of Parliament, or the foregoing bye-laws, or any of them, with respect to pilots, pilot-boats, and pilotage, shall be made in writing, signed by the party aggrieved, and delivered to the secretary of the Pilotage Committee, or left at the office, as soon as practicable; and such secretary shall summon the party complained of, the party aggrieved, and all such persons as the committee may desire to examine to attend the meeting of the committee, which shall be first held next after the expiration of 48 hours from the time of the receipt by him of such complaint.

157. Every owner, part owner, master, pilot, or licensed apprentice, offending against or contravening any of the preceding bye-laws with respect to pilots, pilot-boats, and pilotage, shall for every such offence forfeit and pay the sum of 5 *l.*, which fine, by "The Mersey Docks Ferry Accommodation Act, 1860," the Board are empowered to inflict, provided that the Board shall be at liberty to reduce such fine in any case if they may think fit.

Note.—In addition to this penalty any pilot acting contrary to the provisions of any of these bye-laws, is liable under the Act of Parliament to have his license recalled or suspended by the Board; and any owner, or part owner, offending against any of these bye-laws, applicable to pilot-boats, is liable to have the license of his boat recalled.

158. These bye-laws shall commence and take effect on the 1st day of June 1861.

Note.—By "The Mersey Dock Acts Consolidation Act, 1858," sect. 387, any justice before whom any person shall be convicted of any offence against these bye-laws, may mitigate the amount of penalty imposed.

SCHEDULE II.

BYE-LAWS made by the Mersey Docks and Harbour Board, for the Regulation of Masters and Mates of Ships who have received Pilotage Certificates under the 340th Section of "The Merchant Shipping Act, 1854."

1. No person, to whom such a certificate shall be granted, shall add to or in any way alter such certificate, or make or alter any endorsement thereon, nor shall at any time lend such certificate.

2. Every person to whom such a certificate shall be granted, who shall observe any alteration in any of the sands or channels, or that any buoys or beacons of the Board have been driven away, broken down, damaged, or out of place, shall forthwith deliver or send a correct statement thereof in writing to the secretary of the Board.

3. Every person to whom such a certificate shall be granted, shall from time to time conform himself strictly to all directions which shall be given to him by any of the harbour masters or by the water bailiffs, touching the mooring, unmooring, placing, or removing, of any ship or vessel under his charge, so long as such ship or vessel shall be lying and situate within the limits of the authority of such harbour masters or water bailiff.

4. Every person to whom such a certificate shall be granted, shall, when in charge of any ship or vessel for which such certificate may have been granted, exhibit from the mast head of such ship or vessel, a distinguishing flag of the usual dimensions, and of two colours, the upper horizontal half red, and the lower horizontal half white, in order to show that such ship or vessel has on board a master or mate qualified to act as pilot thereof.

5. Every person to whom such a certificate shall be granted shall attend the meetings of the Board, or of their Pilotage Committee, upon being required to do so by a notice in

Appendix (A).

writing under the hand of the secretary of such committee, to answer any complaint or charge which may be made against him.

Any person holding such a certificate, who shall offend against, or contravene any of the last five preceding bye-laws, shall, for the first offence, forfeit and pay the sum of 20 *l.*, subject to reduction by the justices by whom the penalty is inflicted; and for any subsequent offence his certificate shall be annulled or suspended at the discretion of the Board.

6. The last five preceding bye-laws shall commence and take effect on the 1st day of June 1861.

(No. 16.)

ORDER in COUNCIL as to Reduction of PILOTAGE of COASTING STEAMERS at Liverpool.

At the Court at Buckingham Palace, the 30th day of January 1854.

Present—The Queen's Most Excellent Majesty in Council.

WHEREAS by "The Pilotage Law Amendment Act, 1853," it was enacted, "That it should be lawful for every pilotage authority, by regulation or bye-law, made with the consent of Her Majesty in Council, to fix, and from time to time to alter, the rate and prices or other remuneration to be demanded and received by pilots, licensed by such authority, or to substitute other rates and prices in lieu of those for the time being demanded or received, or to alter the mode of remunerating pilots in such manner as such authority might, with such consent as aforesaid, think fit; so that no higher rates or prices should be demanded or received from the masters or owners of ships than the rates and prices which might, if the said Act had not passed, have been demanded or received:" and likewise "To exempt the masters of any ships or vessels, or of any classes of ships or vessels, from being compelled to employ pilots, and to annex any terms or conditions to such exemptions, and from time to time to revoke and alter any exemptions so made, and to revise and extend any exemptions now existing by virtue of any Act of Parliament or charter, upon such terms and conditions, and in such manner, as such authority, with such consent as aforesaid, might think fit."

And whereas at a meeting of the Commissioners of Pilots of the Port of Liverpool, being the pilotage authorities of the said port, according to the meaning of the said recited Act, it was resolved that, with the consent of Her Majesty in Council, the following regulations should be made with respect to coasting steamers plying from and to the port of Liverpool; that is to say, "The coasting steamers outward bound, proceeding to sea without a pilot, be altogether exempted from the payment of pilotage; and that the rates of pilotage for coasting steamers inward-bound be reduced from 4*s.* to 1*s.* per foot when the services of a branch pilot are not required on board the steamer; and that the said regulations shall take effect at the expiration of one calendar month from the consent of Her Majesty in Council being obtained thereto."

And whereas the said regulations appear to be proper and reasonable:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to approve, and doth hereby approve, of the said regulations so submitted as aforesaid.

(signed) *Wm. L. Bathurst.*

(No. 17.)

CORRESPONDENCE in 1868, 1869, respecting Examination of MASTERS and MATES at Liverpool.

LETTER from Captain *Simpson* to the Assistant Secretary, Harbour Department, Board of Trade.

Pilotage Department, South end of Prince's Dock,
Liverpool, 9 June 1868.

Sir,

I AM directed by the Mersey Docks and Harbour Board to reply to your letter [H. 2012] of the 4th instant, and I beg leave to inform you that the statement of Mr. Hogan applies to the "Order in Council as to Reduction of Pilotage of Coasting Steamers," dated 30th day of January 1854 (a copy of which is enclosed), which appears to have been the result of a voluntary arrangement or compromise between the coasting steam trade and the pilots, with

with the object of avoiding local examination when the Merchant Shipping Act of 1854 came into operation.

The Order in Council still continues in force, but does not apply to vessels whose masters or mates may be holding pilotage certificates granted by this Board, all such vessels being entirely exempted from pilotage charges. Every other coasting steamer not in ballast, whether having a master or mate holding a pilotage certificate under sections 354 and 355 of the Merchant Shipping Act, 1854, or not, pays to pilots the charge of 1*s.* per foot per voyage, according to the terms and by virtue of this compromise, and it does not appear that the charge has ever been disputed.

The compromise was affected about five years before this Board became the pilotage authority of Liverpool.

The advantage which is the object of Mr. Hogan's application is not so apparent; unless it be to avoid the examination which, under the 340th section of the Merchant Shipping Act, 1854, he must undergo before he can receive a pilotage certificate from this Board, and on the other hand, to avoid the penalty to which he is liable for piloting a home trade passenger ship without a certificate. In other words he asks that section 354 may in his case be suspended, and that section 355 (which was only intended to apply to masters or mates who had been continuously piloting home trade pasesnger ships for two years prior to the commencement of the Merchant Shipping Act of 1854) may be strained so as to apply to him, because he has been acting for the last two years in contravention of the 354th section of the Act.

I have, &c.
(signed) *Robert W. J. Simpson,*
Superintendent of Pilotage.

The Assistant Secretary, Harbour Department,
Board of Trade.

LETTER from Captain *Simpson* to Captain *Bedford,* R.N.

(Private.)

Pilotage Office, Prince's Pier, Liverpool,
24 June 1868.

Dear Sir,

HAVING returned to Liverpool, and being once more in harness, I hasten to reply to your private note of the 16th instant, which arrived here while I was having my holidays.

I thank you very much for giving me this opportunity of stating the simple facts with reference to the examinations of masters and mates for pilotage certificates at this port, as I have been long aware that erroneous reports on this subject have been made to the Board of Trade.

The Dock Board undertook these examinations in 1859. Having no suitable examiners at that time, and being desirous of improving the system of examinations of pilots, it was determined to take the Trinity House as our model, and to gather information on the subject from various sources. Being at that time just appointed to this office, I was sent to make these inquiries, and received many valuable hints not only from the Trinity House, but also from your colleague, Captain Walker (in the absence of Captain Sullivan), to whom I am very much indebted. The result of this mission was the adoption of a system and the appointment of a committee, as closely approximate to those at the Trinity House as it was possible to make them. Since then, slight modifications have been made in the committee, which is now comprised of five members, viz., three members of the pilotage committee (who are shipowners as well as captains), the marine surveyor, and the superintendent of pilotage. All applications for examination are immediately referred to the examiners, and upon their report, pilotage certificates and pilot licenses are granted. Having twice passed an examination before the Elder Brethren, I am in a position to state that our examinations are in every way conducted the same as at the Trinity House, and with the utmost consideration for the candidates that is consistent with duty. Every application so far has been successful so far as I am aware. That is to say, every candidate has ultimately got a certificate, though in some cases not till after a second appearance, in consequence of being unable to pass the first time. The Dock Board have never received applications from any of the Dublin and Liverpool steamers' captains, or from any masters or mates in the trade between England and Ireland. If any such applications had been made, they would of course receive the same consideration as others.

The pilotage charge of one shilling per foot per voyage, alluded to by Mr. Hogan, is an unholy contract between pilots and the coasting trade, to avoid examination, and to reserve the privilege of employing pilots in dirty weather. The certificate of the Dock Board, (given after examination) as the Merchant Shipping Act, 1854, provides, frees the holder from all pilotage charges of every kind.

I regret having to close in haste, and remain,

Yours, faithfully,
(signed) *Robert P. J. Simpson.*

Captain Bedford, R.N., Board of Trade.

Appendix (A.)

LETTER from Mr. *Watson* to Mr. *T. H. Farrer.*

City of Dublin Steam Packet Company, Office, 15, Eden Quay,
Sir, Dublin, 10 July 1868.

YOUR letter of the 3rd instant has been forwarded to me from Liverpool. I beg respectfully to protest against any change being made as to the granting certificates, authorising the commanders to take steam vessels with passengers in and out of Liverpool, such a change as you refer to would be quite opposed to the compact entered into by the Board of Trade with the coasting steam trade.

When the Merchant Shipping Bill was under consideration in 1854, the steam interest withdrew all objection to the insertion of the 354th section (which, for the first time, rendered it obligatory on vessels with passengers to have a pilot on board), on the provision being made by the next section, authorising the masters or mates to apply to the Board of Trade for a pilotage certificate. This provision was urged, as you may recollect, mainly with the object of guarding against the difficulties which were anticipated would arise in Liverpool to the granting pilotage licenses to such applicants by the local authority.

After the passing of the Act, attempts were made without success, to obtain licenses from the Mersey Docks Board, and after a prolonged correspondence with the Board of Trade on the subject, the President acceded to our application early in 1860, to carry into operation the 355th section of the Act. Since that time no further difficulty has been experienced; the officers, on giving satisfactory proof of their fitness, have been authorised to pilot, without increasing the penalty prescribed by the 354th section.

I am not aware of any instance of accident arising to ships thus piloted, certainly none has taken place with any vessel belonging to this company.

At the close of 1865, you honoured me with a communication expressing the desire of the Board of Trade to discontinue the arrangement, and to leave the question of issuing licenses with the Mersey Board, but I was obliged to decline acceding to the desire, which was not further pressed.

Your present communication to announce that the Board of Trade, as at present advised, propose no longer to issue pilotage certificates under the 355th section of the Act, for the port of Liverpool, causes the utmost surprise, and on the part of the Irish steam interest, I have to convey their strongest objection to the adoption of such a course.

The letter of 24th June, received from the superintendent of pilots at that port, does not indicate such a friendly feeling to the steam interest, as to encourage a hope that the matter would be dealt with in a different spirit from that which we so long experienced. I may remark that Captain Simpson, when speaking of the payment of one shilling per foot to the pilotage establishment (no service being rendered for such payment), designates it as "an unholy contract between the pilots and coasting trade to avoid examination, reserving the privilege of employing pilots in dirty weather;" appears to be ignorant that the compromise was voluntered by the Dock Board, long prior to the passing of the Merchant Shipping Act, at the time when neither examinations nor certificates were needed. His assertion of employing pilots in dirty weather, has been reported over and over again.

I would venture to suggest that a return should be called for to show the cases where such services have bean called for by officers holding the certificates of the Board of Trade; and also, a return of the successful cases of applicants to the Docks Board for licenses.

Trusting that the consideration of the foregoing statement may be sufficient to establish the just claim of the steam coasting trade to the continued exercise by the Board of Trade of the provisions and duties assigned by the 355th section of the Act, so long as the 354th section remains in force.

I have, &c.
T. H. Farrer, Esq., Board of Trade. (signed) *Wm. Watson.*

LETTER from Captain *Simpson* to the Assistant Secretary, Harbour Department, Board of Trade.

Pilotage Department, South end of Prince's Dock,
Sir, Liverpool, 30 July 1868.

I AM directed to reply to your letter of the 25th instant (H. 2655) with reference to the correspondence arising out of Mr. Hogan's application to the Board of Trade for a Liverpool pilotage certificate, and to acknowledge the receipt of a copy of a letter from Mr. Watson, of the City of Dublin Steam Packet Company, which you have transmitted to the Mersey Docks and Harbour Board, with an invitation to make such observations thereon as they may have to offer.

The information with reference to the examinations of masters and mates for pilotage certificates at this port, which at the request of the Board of Trade from time to time has been forwarded, is of so full and unreserved a character that it is scarcely possible to throw much more light on the subject, but I am to say that the Dock Board will be happy to answer any questions which the Board of Trade may feel disposed to put to them, and to afford Mr. Watson every opportunity of satisfying himself as to the correctness of the statements which have emanated from this office.

The

Appendix (A).

The following brief observations, arranged chronologically, are submitted in reply to your invitation.

1st January 1859.—The Mersey Docks and Harbour Board entered on its duties as the Liverpool Pilotage Authority.

7th March 1859.—Applications received from Messrs. Hughes and John, mates in the service of the City of Dublin Company, asking to be examined for pilotage certificates. The Board at that time had not considered the question of examining masters and mates, and had no examiners.

6th June 1859.—The above named gentlemen were informed that the Dock Board declined to undertake the examinations of masters and mates for pilotage certificates.

6th October 1859.—The Dock Board having resolved to undertake these examinations, intimated the same to the Board of Trade, and appointed examiners. This resolution was prominently advertised in all the local daily and weekly journals.

I have only further to observe, that since the date last mentioned, every applicant for a pilotage certificate has been examined; only one has failed to finally pass his examination; and neither Mr. Hogan nor any other officer in the employ of the City of Dublin Steam Packet Company has ever applied to be examined by the Mersey Docks and Harbour Board.

I have, &c.
(signed) *Robert P. J. Simpson.*

The Assistant Secretary,
Harbour Department, Board of Trade, London.

Letter from Captain *Simpson* to the Assistant Secretary, Harbour Department, Board of Trade.

Pilotage Department, South end of Prince's Dock, Liverpool,
10 August 1868.

Sir,

I have to acknowledge your letter of the 5th instant (H. 2895), and in compliance with the request therein contained, I am directed by the Mersey Docks and Harbour Board to furnish you with the accompanying Return of all applications for pilotage certificates received (from masters and mates) by the Docks and Harbour Board since 6th October 1859, giving the names of the applicants, and the result of the examination in each instance.

I am, &c.
(signed) *Robert P. J. Simpson.*

The Assistant Secretary,
Harbour Department, Board of Trade,
Whitehall, S.W.

RETURN of all APPLICATIONS to the MERSEY DOCKS and HARBOUR BOARD from MASTERS and MATES for PILOTAGE CERTIFICATES between the 6th of October 1859 and the Date hereof, showing the Result in each instance.

Date of Application.	Name of Applicant.	Rank.	Name of Vessel.		Trade.	Result of Application.	REMARKS.
6 Aug. - 1860	Archibald Govan -	Master -	Schooner	Virago - - -	Coasting -	Passed 10 August 1860. Certificate granted - - - -	Resigned certificate, 28 November 1860, on leaving ship.
13 „ - „	James McBride -	„ -	„	Gipsy Queen - -	„ -	Passed 17 August 1860. Certificate granted - - - -	*See* Remarks, 16 lines below.
20 „ - „	John Campbell (A) -	„ -	„	Sapphire - - -	„ -	Passed 24 August 1860. Certificate granted - - - -	√
27 „ - „	John Martin - -	„ -	„	Gipsy - - -	„ -	Passed 31 May 1861. Certificate granted - - - - -	Resigned, 24 November 1862, on leaving ship.
3 Sept. - „	Peter McArthur -	„ -	„	Onyx - - -	„ -	Passed 21 September 1860. Certificate granted - - - -	Resigned, 4 July 1864, on leaving ship.
3 „ - „	Alexander Dewar -	„ -	„	Anna Dixon - -	„ -	Passed 21 September 1860. Certificate granted - - - -	Resigned, 13 January 1862, on leaving ship.
10 „ - „	James Munn - -	„ -	„	Opal - - -	„ -	Passed 14 September 1860. Certificate granted - - - -	Resigned, 19 January 1863, on leaving ship.
10 „ - „	Angus McNeill -	„ -	„	Mersey - - -	„ -	Passed 14 September 1860. Certificate granted - - - -	√
18 „ - „	John McDearmid -	„ -	„	Topaz - - -	„ -	Passed 21 September 1860. Certificate granted - - - -	√
25 Mar. - 1861	Evan Jones - -	„ -	„	Virago - - -	„ -	Passed 7 June 1861. Certificate granted - - - - -	Resigned, 19 January 1863, on leaving ship.
25 „ - „	John McLean - -	„ -	„	Anna Dixon - -	„ -	Failed once. Passed 17 May 1861. Certificate granted - -	√
1 April - „	Jenkin Jones - -	„ -	„	Grimaldi - -	„ -	Failed once. Passed 28 June 1861. Certificate granted - -	Resigned, 6 March 1865, on leaving ship.
3 June - „	James McBride -	„ -	„	Gipsy Queen - -	„ -	Passed for extension of certificate, 14 June 1861. Certificate granted	Resigned, 16 March 1863, on leaving ship.
23 „ - 1862	Alexander Neill -	Mate -	Steamship	Helena - - -	„ -	Passed 2 July 1862. Certificate granted - - - - -	Resigned, 15 December 1862, on leaving ship.
11 Aug. - „	John Campbell (B) -	„ -	Schooner	Topaz - - -	„ -	Passed 27 August 1862. Certificate granted - - - -	√
18 Dec. - „	Alexander Neill -	Master -	Steamship	Carbon - - -	Foreign -	Transferred without examination, having passed 2 July 1862 - -	Resigned, 15 August 1864, on leaving ship.
22 Jan. - 1863	James Munn - -	„ -	Schooner	Virago - - -	Coasting -	Transferred without examination, having passed 14 September 1860 -	Resigned, 28 December 1863, on leaving ship.
19 Mar. - „	James McBride -	„ -	„	Margaret - -	Foreign -	Transferred without examination, having passed 17 June 1861 -	Resigned, 25 June 1866, having left the port.
27 April - „	Andrew Hosie -	„ -	„	Gipsy King - -	Coasting -	Did not appear - - - - - - - - - - -	Left his ship soon after his application.
4 May - „	Daniel Lamont -	„ -	„	Gipsy - - -	„ -	Did not appear - - - - - - - - - - -	Left his ship soon after his application.
21 Sept. - „	Angus Stewart -	„ -	„	Topaz - - -	„ -	Failed twice. Passed 29 June 1864. Certificate granted - -	Resigned, 4 June 1856, on leaving ship.
4 Feb. - 1864	James Munn - -	„ -	„	Gipsy King - -	„ -	Transferred without examination, having passed 14 September 1860 -	Resigned, 10 April 1865, on leaving ship.
18 April - „	Andrew Hamilton -	„ -	„	Gipsy - - -	„ -	Passed 25 May 1864. Certificate granted - - - - -	Resigned, 28 May 1868, on leaving ship.
29 May - 1865	Peter Gibson - -	„ -	„	Gipsy - - -	„ -	Passed 19 July 1865. Certificate granted - - - - -	Resigned, 8 July 1867, on leaving ship.
4 Sept. - „	Peter Kennedy -	„ -	„	Gipsy Queen - -	„ -	Failed three times - - - - - - - - - -	Did not come up again, having left the ship.
18 „ - „	Edward P. Stokes -	„ -	Steamship	City of Petersburg -	„ -	Passed 20 September 1865. Certificate granted - - - -	Resigned, 24 December 1866, on leaving ship.
26 Mar. - 1866	James J. Aitken -	„ -	„	Great Northern -	„ -	Failed once - - - - - - - - - - - -	Did not come up again, ship having changed owners.
25 June - „	Stephen Bertridge -	„ -	„	Osprey - - -	Foreign -	Did not appear - - - - - - - - - - -	Withdrew his application.
5 July - „	Angus Stewart -	„ -	Schooner	Gipsy - - -	Coasting -	Transferred without examination, having passed 29 June 1864 - -	√
13 May - 1867	Alexander McPhee -	„ -	„	Gipsy King - -	„ -	Failed twice. Passed 6 May 1868. Certificate granted - - -	√
8 July - „	George Beall - -	„ -	Steamship	Castilian - - -	Foreign -	Passed 10 July 1867. Certificate granted - - - - -	√
12 Aug. - „	Peter McLean -	„ -	Schooner	Topaz - - -	Coasting -	Passed 11 September 1867. Certificate granted - - - -	Resigned, 6 April 1868, on leaving ship.
4 May - 1868	John Dewar - -	„ -	„	Gipsy - - -	„ -	Failed once - - - - - - - - - - - -	Examination deferred for one month.

Note.—The ticks (√) in "Remarks" column show the pilotage certificates which remain in force.

10 August 1868.

Robert P. J. Simpson,
Superintendent of Pilotage.

Sir, 13, Eden Quay, Dublin, 2 October 1868.

I BEG to acknowledge receipt of your letter of 7th September covering copy of a letter which was addressed to Mr. Watson, of the City of Dublin Steam Packet Company, on 4th July last.

You will please to observe that my employers are not the City of Dublin Steam Packet Company, but the Dublin and Liverpool Screw Steam Packet Company, of which Mr. Stirling is the managing director; and I most respectfully ask the Board of Trade to reconsider the matter, and, in compliance with the 355th section of "The Merchant Shipping Act, 1854," to grant me a certificate to enable me to pilot the steamers which I command, in and out of the port of Liverpool, without incurring a penalty for so doing; but I do not wish to interfere with the existing rule of paying to the pilots 1*s.* per foot on my vessel.

I have full confidence in being able to pass any examination equal to any pilot in the establishment, as I have been now more than two years continuously piloting and assisting to pilot my ship into Liverpool (my mate having a pilotage certificate), and no one pilot of the establishment could in five years have the same amount of practical knowledge; and I believe that it is quite possible to put such questions to any applicant for a pilotage certificate as would puzzle the best pilot in Liverpool. And I therefore object to present myself to the Mersey Board for examination, feeling certain that I would not get such an examination as would allow me to pass; for that body seem to have an inclination to offer every impediment to passing men who do not belong to the pilotage establishment. This is shown by the small number who have got certificates since the passing of the Act, though no one can deny the competency of masters of steam vessels to pilot their vessels into and out of Liverpool with their daily practice.

I therefore most respectfully trust that you will kindly comply with my request, and place me in a position to discharge a duty to my employers which I feel quite competent to perform.

I have, &c.

The Assistant Secretary, (signed) *M. Hogan.*
Harbour Department, Board of Trade.

LETTER from Captain *Simpson* to the Assistant Secretary, Harbour Department, Board of Trade.

Pilotage Department, South-end of Princes Dock, Liverpool,

Sir, 19 October 1868.

WITH reference to your letter of the 13th instant (H. 3587), I am directed by the Pilotage Committee of the Mersey Docks and Harbour Board to thank you for sending them a copy of Mr. Hogan's renewed application for a pilotage certificate, and for drawing their attention to certain observations which appear in his letter.

I am further directed to say that there is such manifest inconsistency in Mr. Hogan's remarks, that this Board cannot see any necessity to reply to them beyond the declaration that he is altogether in error so far as his remarks apply to this Board; and I am to repeat (and to request that you will kindly intimate the same to Mr. Hogan) that this Board is quite ready to grant a pilotage certificate to him, or to any other master or mate, after passing a fair and reasonable examination.

I am, &c.

The Assistant Secretary, (signed) *Robert P. J. Simpson.*
Harbour Department, Board of Tard of Trade, London.

LETTER from Mr. *Stirling* to the Assistant Secretary, Harbour Department, Board of Trade.

Dublin and Liverpool Screw Steam Packet Company,

Sir, 13, Eden Quay, Dublin, 20 October 1868.

CAPTAIN HOGAN has handed me your letter of 13th instant, H. 3587, in which you inform him that the Board of Trade cannot depart from the decision communicated to him and to the Mersey Docks and Harbour Board relative to the granting of pilotage certificates for the Port of Liverpool, under the 355th section of "The Merchant Shipping Act, 1854."

I deferred writing to you till I had before me the whole correspondence which had taken place between Captain Hogan and the Board of Trade on the subject, from 20th March last, when he made the first application.

I beg most respectfully to express to you my great surprise that the Board of Trade should depart from the principle on which they acted after the passing of the Merchant Shipping Act, 1854, as the 355th clause was enacted to give them the power of granting certificates to masters and mates who were qualified by constant practice to pilot their ships;

Appendix (A).

as it was quite certain that the pilot authorities would throw every impediment in the way of granting certificates to any persons not connected with their own establishment.

That this has been the course in Liverpool is evidenced by the small number of persons to whom the Mersey Docks Board have granted certificates, as no masters or mates (no matter how well qualified) are disposed to submit themselves to an examination, when they feel confident they will not be allowed to pass, and nothing can possibly be easier than to puzzle even the best informed men, by putting questions about cross-bearings, from a chart.

None of the pilots of Liverpool establishment could acquire in five (I might say 10) years the practical knowledge of the navigation which the commanders of steam vessels sailing into and out of Liverpool two or three times weekly acquire in two years' service, and it is a great hardship to refuse to such men the certificates which the Legislature in 1854, fearing and foreseeing the difficulty which would be thrown in the way of their passing an examination, put into the power of the Board of Trade to issue.

If the Mersey Docks Board were disposed to publish a series of questions, on the perfect knowledge of which they would grant the certificate, no exception could be taken to such an examination, and masters and mates going up would know what they were about; but till such time as they do so, I, in common with all steam-ship owners trading to Liverpool, must protest, respectfully but strongly, against the Board of Trade giving up the custom of granting certificates to men who by their daily practice prove themselves competent to perform the service.

In conclusion, I most respectfully ask the Board of Trade to reconsider the matter, and continue to issue certificates to such captains and mates as are entitled under the 355th section of the Merchant Shipping Act to receive the same, till such time as the Mersey Docks Board indicate by a printed rule what information masters and mates are required to have to entitle them to a certificate enabling them to pilot their ships into and out of the port of Liverpool.

I am, &c.
(signed) *Jas. Stirling*,
Managing Director.

The Assistant Secretary,
Harbour Department, Board of Trade,
Whitehall, S. W.

LETTER from Mr. *Watson* to the Secretary, Board of Trade.

City of Dublin Steam Company,
20, Water-street, Liverpool, 24 October 1868.

Sir,

I HAVE the honour to state, in reply to your letter of 15th August, transmitting a copy of letter from the Mersey Docks Board, in reference to applications for pilot certificates, that the return enclosed in that letter containing the names of but 26 applicants in the space of nine years, appears strongly to confirm the apprehensions of masters of vessels and of their employers, that there was but little chance of such applications meeting with success.

In that period, only 15 masters of sailing vessels and three of steam vessels obtained certificates.

Being very desirous, however, of acceding to the wishes of the Board of Trade, to leave the matter in the hands of the local pilotage authority, if an arrangement could be devised which would ensure the carrying into effect the original intentions of the Board of Trade and of the Legislature, on the subject of freedom from compulsory pilotage, I have had several interviews with Captain Simpson, the last of which took place this day, when I finally submitted for consideration suggestions with reference to the mode in which the examination of masters of coasting steamers might be conducted, which, if adopted, would induce greater confidence in a fair result; and accompanied with further suggestions, as to the permanent employment of competent men belonging to the pilotage establishment in our vessels, at such rate of payment as would secure them about the same amount of income as they derive on the average of their casual earnings in the present way.

In the hope that some arrangement may be arrived at, satisfactory to the Board of Trade, to the Pilotage Establishment of Liverpool, and to the Company, I would now respectfully suggest that the subject may be allowed to lie over for the present.

I have, &c.
(signed) *Wm. Watson.*

To the Secretary
of the Board of Trade.

(Enclosure.)

City of Dublin Steam Packet Company,
Office, 15, Eden Quay, Dublin, 22 December 1868.

Sir,

THE Board of Directors have had under consideration the correspondence which has taken place with the Board of Trade, in reference to the subject of issuing certificates to the masters or officers of the Company's vessels, authorising them to pilot in and out of Liverpool,

Liverpool, in accordance with the 355th section of "The Merchant Shipping Act, 1854;" and Mr. Watson having also stated the purport of the communication which he has had with you on the subject, I am now authorised to propose on the part of the Company, that instead of applying in future to the Board of Trade for certificates to be granted to other officers than those who now hold them, the directors will be prepared to appoint in the place of the second officer of each vessel, a properly qualified pilot, belonging to the pilotage establishment, to attend in such ships as may not have a master or officer with a Board of Trade pilotage certificate, at the weekly pay of 40*s.*, whose sole duty should be to pilot the vessel in and out of Liverpool as far as the Skerries, but to be under the control of the master as to proceeding to sea by night as well as by day.

The existing arrangement for the payment of 1*s.* per foot on the inward voyages to be continued as a contribution to the pilotage establishment. I may add, that in the event of the present proposal being adopted, appointments would be very gradual, as there is a sufficient number of officers in the service for the vessels at present owned by the Company.

I remain, &c.
(signed) *P. Howell,* Secretary.

Captain Simpson,
Superintendent of Liverpool Pilots.

Pilotage Department, South-end of Prince's Dock,
Liverpool, 30 December 1868.

Sir,

I AM directed by the Pilotage Committee to acknowledge the receipt of your letter of the 24th instant, offering terms upon which the Board of Directors of the City of Dublin Steam Packet Company will be prepared to employ permanent pilots in their steamers, and I am to inform you that your letter has been brought under the consideration of the Pilot Service, and that the result shall be communicated to you.

I am, &c.
(signed) *Robert P. J. Simpson,*
Superintendent of Pilotage.

P. Howell, Esq., Secretary,
City of London Steam Packet Company,
15, Eden Quay, Dublin.

Pilotage Collector's Office, Liverpool,
2 January 1869.

Gentlemen,

AT a meeting of master pilots held here to day, the proposal of the City of Dublin Company was discussed, when it was unanimously resolved,—

"That the offer of this Company be respectfully declined, and the master pilots beg to refer the Pilotage Committee to the 151st bye-law."

I remain, &c.
(signed) *Thomas Parry,* President.

To the Chairman and Gentlemen
of the Pilotage Committee.

AT a Public Meeting of the Pilots of Liverpool, held in the Clarendon Rooms on the 15th January 1869:

Present:—Mr. Thomas Frith in the Chair, &c. &c. &c.

Read—Letter from R. P. J. Simpson, Esq., enclosing copy of a letter received by him from the City of Dublin Steam Packet Company, with reference to the permanent employment of pilots in their steamers.

The subject having been considered, it was unanimously resolved,—

"That the pilots of Liverpool decidedly object to the permanent appointment of pilots, as proposed by the City of Dublin Steam Packet Company, at the weekly pay of 40*s.* being of opinion that, for the credit of the service, none but first-class pilots should be appointed to pilot such steamers, and that the Company should be charged the full pilotage rates allowed by Act of Parliament, and that no concessions be made detrimental to the interests of the service, seeing that by Act of Parliament full scope is given to masters and mates to obtain pilotage certificates."

(signed) *Thomas Frith,* Chairman.

Appendix (A).

City of Dublin Steam Packet Company,
Sir, 15, Eden Quay, Dublin, 23 April 1869.

The directors have been in expectation of having the decision of the Pilotage Committee in reference to the proposal contained in my letter to you of 22nd December last, as to the employment of pilots in the vessels of the Company; your letter of the 13th of that month stated that the subject was then under consideration, and that the result should be communicated.

I am, &c.
Captain Simpson, &c. &c. (signed) *P. Howell*, Secretary.
Liverpool.

Pilotage Office, Prince's Pier, Liverpool,
Sir, 29 April 1869.

I am directed by the Mersey Docks and Harbour Board to forward to you the enclosed copies of the resolutions of master pilots and pilots with refererence to the proposal of the City of Dublin Company for pilots to be appointed to their steamers, at a salary of 40 *s.* per week; and I am to inform you that the reason why these resolutions were not forwarded before was to afford time to the pilots to make such arrangements with the City of Dublin Company for piloting their ships as would be mutually agreeable, subject to approval in the proper quarters.

I am, &c.
P. Howell, Esq., Secretary, (signed) *Robert P. J. Simpson.*
City of Dublin Steam Packet Company, Dublin.

Letter from Mr. *Howell* to the Secretary, Board of Trade.

City of Dublin Steam Packet Company,
Sir, Office, 15, Eden Quay, Dublin, 30 April 1869.

I am desired to transmit, for the information of the Board of Trade, the enclosed copy of correspondence which has taken place with the Liverpool Pilotage Establishment, in reference to the attempt to arrive at an arrangement for the permanent employment of pilots in the vessels referred to in the letter addressed to you by Mr. Watson on the 24th October last, but which attempt has not been attended with success.

I am, &c.
The Secretary, (signed) *P. Howell*, Secretary.
Board of Trade.

(No. 18.)

Letter from the Secretary to the Dublin and Kingstown Steam Packet Company to the Secretary, Board of Trade.

Dublin and Kingstown Steam Packet Company (Limited),
Sir, 29, Eden Quay, Dublin, 17 July 1866.

Our company has been running hourly for some years between Dublin and Kingstown without paying pilotage, with passengers only, the vessel drawing 4½ to 5 feet water. Tugs and other steamers have also carried passengers between these places without pilotage having been asked.

Last month the Ballast Board or Corporation for improving the port of Dublin have noticed us to take pilots, or have masters or mates with pilots' certificates.

As similar steamers in the Belfast and Bangor line, Cork and Queenstown, Glasgow and Greenock, Limerick and Foynes, Darry and Lough Foyle, Liverpool and ports on Mersey, are not subject to compulsory pilotage, we are under the impression that it was never intended that pilotage should be charged on such passenger boats running hourly from 9 a.m. till 8 p.m., and sometimes making a short excursion of 20 to 30 miles along the coast.

The distance from Dublin to Kingstown is about seven miles, with 10 feet at low water to 24 feet at high water, where shallowest.

As compulsory pilotage would render our line profitless, our Directors trust that the Board of Trade will intimate to the Commissioners for Improving the Port of Dublin that such is exempt from pilotage as in other ports.

I am, &c.
Secretary, Board of Trade, (signed) *Wm. Kenaghan*, Secretary.
London.

LETTER from the Secretary to the Ballast Office, Dublin, to the Secretary, Marine Department, Board of Trade.

Sir, Ballast Office, Dublin, 7 August 1866.

HAVING submitted to the Board your letter of the 20th ultimo, forwarding copy of a letter addressed to their Lordships from the Dublin and Kingstown Steam Packet Company complaining that this corporation have recently required the Company's steamers plying between Dublin and Kingstown with passengers, to carry pilots, unless the masters or mates of the vessels hold pilotage certificates,

I am in reply directed to state that the Board were actuated in this case solely by a sense of what is due to passenger safety, having regard to the great responsibility which rests with them, being the pilotage authorities of the port of Dublin, should any accident to life occur; and that they did not adopt this course without obtaining legal advice, which has been communicated in the following words.

"In the case of steamers carrying passengers, whether with or without goods, the master not having a pilotage certificate, or a mate with such certificate from the local authority, or a certificate to either master or mate from the Board of Trade under sec. 355, is liable for each such offence to a penalty not exceeding 100 *l.* under sec. 354.

"(signed) *E. C. Chatterton.*"

The Secretary,
Marine Department, Board of Trade.

I am, &c.
(signed) *Walls*, Secretary.

LETTER from the Secretary, Marine Department, Board of Trade, to the Secretary to the Ballast Office, Dublin.

Board of Trade, Whitehall, S.W.,
Sir, 14 August 1866.

I AM directed by the Board of Trade to acknowledge your letter of the 7th instant, stating the reasons which actuated the Ballast Board in requiring the Dublin and Kingstown Steam Packet Company's steamers plying between Dublin and Kingstown with passengers, to carry pilots, unless the masters or mates of the vessels had pilotage certificates.

In reply the Board of Trade desire me to express their opinion that the corporation are in error in supposing that the corporation are responsible for the safety of the passengers. They are responsible for selecting proper pilots, but it is the owners and masters of the vessels who are responsible for the safety of the passengers.

To take this responsibility from those upon whom it naturally rests, and to transfer it to the Port of Dublin Corporation, could not fail to have bad effects.

I am, &c.
The Secretary to the Ballast Office, Dublin. (signed) *T. H. Farrer.*

LETTER from the Secretary to the Ballast Board, Dublin, to the Secretary, Marine Department, Board of Trade.

Sir, Ballast Office, Dublin, 21 August 1866.

HAVING submitted to the Board your letter of the 14th instant, on subject of their requiring the Dublin and Kingstown Steam Packet Company's Steamer to carry pilots, their Lordship's observing that this Corporation are in error in supposing that they, the Corporation, are responsible for the safety of the passengers.

I am in reply directed to acquaint you, for the information of the Board of Trade, that this Board had not the remotest intention of incurring any legal responsibility of the nature to which their Lordships allude; the responsibility the Corporation referred to, was that of which every Body, exercising authority, owe to public opinion.

They consider that under the Act they are bound to see that competent pilots are taken by all passenger vessels within their port, or that the master or mate should qualify as such.

I am, &c.
The Secretary, &c. &c. (signed) *W. Ives*, Secretary.
Marine Department, Board of Trade.

Appendix (A).

(No. 19.)

PETITION of Ship Owners and Master Mariners of the Township of *Knottingley*, in the Port of *Goole*.

The humble Petition of the undersigned Ship Owners and Master Mariners in the Township of Knottingley, in the Port of Goole,

Sheweth,

THAT your petitioners have long regarded the law of compulsory pilotage a most grievous and obnoxious tax, quite contrary to the principles of free trade, inasmuch as the shipmaster if compelled to give up charge to the pilot forced on board by law, although it remains an unsettled point as to whether or not, under some circumstances, the master should remove the pilot from charge, thus placing the shipmaster in a very unenviable position, for to remove the pilot from charge he must be supposed to know better what to do, under the circumstances, than the pilot he removes, and admitting that how anomalous the law to force a pilot on board a ship if that law supposes the shipmaster to know better how to navigate that ship than the pilot himself does.

Your petitioners beg to remind your Honourable Board of what took place with respect to the loss of the "Spindrift," wrecked near Dungeness; how the Court at Greenwich acquitted the master from any blame, owing to a compulsory pilot being in charge of the ship, and how your Honourable Board, together with the Elder Brethren of the Trinity House, dissented from that Court's decision; thus showing how difficult for a shipmaster to determine when the time arrives for him to supersede the pilot in charge. Your petitioners are confident that the most just and effectual way to remedy that evil would be to establish a voluntary system of pilotage, and beg your Honourable Board to insert a clause in your proposed Merchant Shipping Amendment Bill, to abolish unconditionally the law of compulsory pilotage throughout the United Kingdom, and let there be free trade in pilots, the same as in shipmasters. Your petitioners cannot see any reason why one class should be protected at the expense of another class. Any person qualifying himself for a shipmaster can be one, without any regard as to number, and your petitioners recommend the same law towards pilots.

Your petitioners look upon the present mode of levying the rates for pilots' fees on the draft of water very unjust in principle, inasmuch as a ship of 2,000 tons would carry nearly 10 times the number of tons per foot draft of water as another ship of 100 tons; thus showing that levying the rates on the draft of water, falls very unequally on different sized ships.

Your petitioners beg to recommend as a remedy for that evil, that all pilotage fees be levied on the gross tonnage of the ship, precisely similar to light dues, dock dues, &c.

Your humble petitioners look forward to your Honourable Board to deal with these questions in a just and comprehensive spirit.

And your Petitioners will ever pray.

(signed) William Green, ship owner. | Thomas Brown, ship owner.
Charles Atkinson, ship owner. | Samuel Rhodes, ship owner.

(And 126 other Signatures).

(No. 20.)

RETURN OF NUMBERS AND EARNINGS, &c. OF PILOTS AT COMPULSORY AND NON-COMPULSORY PORTS.

Pilotage—Compulsory Ports.

	Number of Pilots.	Gross Receipts.	Net Receipts.	Average per Pilot.	Pensions.	Fund.	
ENGLAND:		£.	£.	Estimated. £.	£.	£.	
London Trinity House	364	120,043	107,000	230	6,251	90,593	Capital.
In Outports	483	36,683		51			
Total	847	156,726					
Liverpool	240	67,207	35,280	140	1,902	9,756	ditto.
Hull	103	13,730	11,381	151*	404	200	ditto.
Outports	- -	810		63*			
Bristol	63	10,549	6,070	100*	175	6,750	ditto.
	1,253	249,022	159,731	- -	8,732	107,299	
Other Compulsory Ports in England.	144	10,892	(No returns.)	50 *l.* to 60 *l.*	505	321	Contributions.
Total, England	1,397	259,914	- -	- -	9,237	107,620	
SCOTLAND:							
Clyde	32	4,935	4,436	163*	343	4,555	Capital.
Other Ports	107	4,243	- -	30 *l.* to 40 *l*	—	—	
Total	139	9,178	- -	- -	343	4,555	
IRELAND	292	17,035	- -	40 *l.* to 50 *l.*	915	738	Contributions.
GRAND TOTAL	1,828	268,127	- -	- -	10,495	112,913	

Pilotage—Non-Compulsory Ports.

	Number of Pilots.	Gross Receipts.	Net Receipts.	Average per Pilot.	Pensions.	Fund.
ENGLAND:		£.	£.	Estimated. £.	£.	£.
Newcastle Trinity House	164*	6,710	Seaham	60*	104	680
			Blyth	35*		
			Warkworth	40*		
Tyne	259	9,494	River	20 *l.* to 30 *l.*	390	
			Sea	30 *l.* to 40 *l.*		
Sunderland	171	- -	- -	No returns.		
Hartlepool	124	5,735	- -	35 *l.* to 45 *l.**		
Cardiff	86	10,078	- -	130		
Newport	28	4,966	- -	150*		
Gloucester	19	4,707	- -	170		
Total	851	41,690				
SCOTLAND:						
Leith Trinity House	110	2,043	- -	13	96	
Leith Harbour	91	929	- -	8 *l.* 10 *s.**		
Dundee	14	1,715	- -	68*		
Scotland	215	4,687				
England	851	41,690				
Total	1,066	88,377				

In Ireland (Cork, Limerick, and Dundalk) they appear to have no means of ascertaining earnings.

* Actual returns.

(No. 21.)

RETURN from the PILOT AUTHORITIES of the Port of *Dublin*.

PORT.	1. PILOTS AND APPRENTICES.												2. PILOTS' FUND.			3. PENSIONERS AND PENSIONERS.				
	Existing Number.		Number Ten Years ago.		Number Licensed for the First Time in last Seven Years.			Number ceasing to be such, whether from Superannuation or otherwise, in last Seven Years.				Number of Pilots; Whether Limited, and, if so, when?	Do Apprentices, if Competent, as a Matter of Right become Licensed Pilots?	Present Amount of Pilots' Fund, if any.	Contributions to Fund Annually.		——	Number of Pensions.	Gross Amount of Pensions.	Average Pensions.	Average Age.
								Pilots.		Apprentices.											
	Pilots.	Apprentices.	Pilots.	Apprentices.	Years.	Pilots.	Apprentices.	Superannuation.	Otherwise.	Promotion.	Otherwise.				From Ports.	Other Sources.					
														£.	£.	£.			£.	£.	
DUBLIN* - - -	47	15	37	9	1863	1	2	–	–	–	1	- No -	Yes, after examination.	824	126	92	Pilots and widows.	6	190	32	73
					1864	5	1	–	1	–	2							12	96	8	62
					1865	1	3	–	1	–	1										
					1866	5	4	2	–	–	4										
					1867	3	3	1	3	–	2										
					1868	1	–	2	1	–	–										
					1869	2	3	–	–	–	1										

PORT.	4. PILOTAGE RATES.		5. EARNINGS AND DEDUCTIONS.						6. Pilotage Certificates to Masters and Mates Granted and Renewed.				
	Are the Rates Charged per Foot or by Tonnage?	State the Exemptions or Modifications (if any) in respect of Pilotage: Whether as regards the Class of Vessels Piloted or otherwise.	Estimated Average Earnings of a Single Pilot in one Year.			What are the Nature and Amount of the Deductions from a Pilot's Gross Earnings?	To what Purposes are those Deductions Applied?	Are the Earnings Divided amongst the whole Body of Pilots, or are they individually Appropriated?	——	Granted.		Renewed.	
			Gross.	Net.	Highest Net.					1868.	1869.	1868.	1869.
			£.	£.	£.								
DUBLIN - - - -	per foot -	Vessels under 50 tons; vessels in ballast; coasters laden with potatoes or fish in bulk.	89	65	87	One-fifth from outside pilotage; one-fourth from inside pilotage. 8½ per cent. - -	Maintenance of pilotage establishment. Fund.	Divided among crews of cutters.	Masters -	1	5	20	16
									Mates -	2	2	10	11
										3	7	30	27

* Compulsory Pilotage exists, with limitations or exemptions varying according to the different Local Acts and Regulations.

(No. 22.)

MEMORIAL of Leith Chamber in favour of Abolition of Compulsory Pilotage.

Sir, Leith, 5 March 1870.

I HAVE the honour to transmit a Memorial from the Leith Chamber of Commerce to the Honourable the Board of Council for Trade, with reference to the Bill for the Abolition of Compulsory Pilotage, which I have to request you will have the goodness to submit to the Board.

I have, &c.

G. J. S. Lefevre, Esq., M.P., Secretary to the Board of Trade, London.

(signed) *Pillans Scarth*, Secretary.

To the Honourable the Board of Council for Trade.

The humble Memorial of the Leith Chamber of Commerce, incorporated by Royal Charter,

Sheweth,

THAT this Chamber cordially approve of the principle of the Bill introduced into Parliament to abolish Compulsory Pilotage, and the more so as they consider that shipowners ought to be responsible for the acts of a pilot when he is put in charge of a ship by themselves voluntarily.

That while thus approving of the main provisions of the Bill, this Chamber consider it to be quite unjust that when responsibility is imposed on shipowners they should not be allowed to employ the pilot, if they desire to employ one, who they may deem best qualified for the safe and efficient conducting of their ship; and are of opinion that a pilot, when so appointed, ought not to be displaced by any other party whatever.

That an obvious anomaly in the position and responsibility of shipowners will exist if Section 3, which confers on licensed pilots power to supersede men who may not be licensed, though perfectly qualified, and chosen by the owners, on whom the responsibility lies, remain in the Bill; and this Chamber, therefore, respectfully submit that said Clause do not stand part of it.

Signed at Leith, in name and by authority of the Chamber, this 4th day of March 1870.

John F. Cathcart, Chairman.

(No. 23.)

LETTER from Mr. *R. Johns* to Board of Trade.

Sir, Western Point, 29 March 1870.

I PRAY you will pardon me for intruding on your time on this occasion. I see by the papers a Select Committee is appointed to inquire into the system of Compulsory Pilotage. I am highly gratified to hear such, especially with regard to the pilotage system of Liverpool. I am one of the many coasting masters who may hope to have our wrongs redressed. The wrong I now complain of is as follows: I came from London to this port with a cargo of cement; I arrived on the 15th instant, freight at the rate of 7 *s.* per ton; when off point Synas, I was hailed by the pilots on that station, "Where are you from?" I said "London;" the pilots sailed away from me, not asking any more questions. The pilot's boat next on turn hailed us; I told him I was from London; the captain of pilot boat asked me, "Where did you come from; when to London?" I told him "Tarragona, Spain." The captain then said, "Back your yard, and hoist a jack for a pilot from the boat who spoke you first." I did not do so for some time. I told him I did not want a pilot till I got to the north-west light ship; he told me if I did not take one he would make me pay double pilotage. I said I was not aware of being compelled to take a pilot off Point Synas; he said I was. I then took the pilot, who charged me 9 *s.* per foot, 11½ feet, for which I paid 5 *l.* 3 *s.* 7 *d.*; so what with dock dues and pilotage, &c., I have not 1 *s.* to send my owner. Myself and many masters think it a great injustice. I have not only now to complain of it; I have been to Runcorn at different times with flints; from Rye, also from Dieppe, France; of flints we have to carry twenty-two hundred and a-half to the ton, freight 7 *s.* per ton; sometimes 6 *s.*, at other times 5 *s.* 3 *d.* My vessel carries 220 tons; the long tonnage of flints 190 tons; we make 66 *l.* freight at times; 55 *l.* to 50 *l.* according as the freights are. When I get to the pilot water of Liverpool I have a pilot forced on me, when I am coasting, at the enormous rate of 9 *s.* per foot foreign pilotage; if caught in and out with pilot, my pilotage is 7 *l.* to 8 *l.*; we would only be too pleased to send the amount to our owners instead of sending nothing. What with steam by land and

Appendix (A).

water, also the pilotage, us coasters have a difficulty to meet our expenses; it appears to me, we battle with the elements, and others reap the benefit. A ship of a thousand tons only pays a few more shillings than I do; at the same time her cargo worth thousands of pounds, her freight several hundred pounds, and yet pay but a trifle more than us; of course large shipowners look to their own interest, and do not care who sink so long as they swim. Another wrong is done us from the river Elb to Brest is termed coasting by the Board of Trade, and yet we are subject to foreign pilotage and dues, which come heavy upon us, especially at this port, as we are subject to foreign pilotage for six months after coming from one of the continental ports; the freight from such to United Kingdom merely saves us ballast, and yet we have to pay foreign pilotage and dues; it is a great burden to all masters who frequent such ports. I know many would rejoice to have an opportunity to sign against it, but the difficulty is we are so often going from port to port, that we have no time to appear to protest against if required. If a petition were got up, I feel confident every master who comes to Runcorn and Western Point would sign it. Be it far from me to do any hurt to the pilots, but if we are to have compulsory pilotage, let it be equalised, and vessels pay according to register tonnage, and coasters be exempt at this port as well as other ports in the Kingdom, which would seem more just. I do not see why Liverpool should be permitted to have compulsory pilotage more than any other port in the Kingdom; if the pilotage was more reasonable at this port, I feel certain many who now try to escape them, would encourage them; I would for one.

I am, &c.
(signed) *Richard Johns*, Master,
Schooner Forester, of Rye, Sussex.
Residence, St. Saviour's Terrace, Pobman, near Fowey, Cornwall.

T. H. Farrer, Esq.,
Secretary, Board of Trade.

(No. 24.)

LETTER from Mr. *Thomas Part* to Board of Trade.

Sir, Wigan, 31 March 1870.

THE parties interested in the trade and docks of the Upper Mersey, are anxious to aid, so far as they can, in securing the passing of the pending Pilotage Bill, and I am instructed to ask you, if before the Select Committee close their labour they will be allowed to tender evidence in support of the Government measure.

If you can do so without inconvenience, I should be much obliged by your telling me for the information of the parties I have referred to, whether the evidence will be allowed, and when it will be most convenient to the Committee to receive it.

I have, &c.
(signed) *Thomas Part.*

T. H. Farrer, Esq.,
Board of Trade.

Appendix (B).

PAPER delivered in by the Chairman.

PORT OF LIVERPOOL.

TOTAL TONNAGE of SAILING and STEAM VESSELS Entered and Cleared with Cargoes, and in Ballast, at the Port of *Liverpool*, in each of the Years 1850, 1855, 1860, 1865, and 1868.

	Sailing Vessels.			Steam Vessels.		
	Entered.	Cleared.	Total.	Entered.	Cleared.	Total.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
1850 -	1,512,333	1,557,771	3,070,104	92,982	99,588	192,570
1855 -	1,895,282	2,033,316	3,928,598	178,886	189,728	368,614
1860 -	2,303,609	2,422,192	4,725,801	469,830	477,282	947,112
1865 -	1,603,511	1,719,619	3,323,130	1,041,310	912,208	1,953,518
1868 -	1,895,373	1,972,324	3,867,697	1,306,716	1,265,581	2,572,297

Statistical Department, Board of Trade,
14 June 1870.

Appendix (C).

PAPERS handed in by Captain Sir *F. Arrow*, 8 April 1870.

Appendix (C).

RETURN of the Number of PILOTS, Average Earnings, &c., Licensed for the LONDON DISTRICT, as defined by the Merchant Shipping Act, 1854.

Number of Pilots.	Average Earnings.		Mileage.
	£.		
50	445	From London to Sea, North and South Channels -	About 120 miles.
50	310	From Gravesend to Sea, North and South Channels	„ 95 „
70	320	Between London and Gravesend (River) up and down.	„ 26 „
22	242	Between London and Gravesend (River) up and down; Home trade, Steam Passenger ships only.	„ 26 „
128	310	South Channel; from Dungeness to Gravesend -	„ 93 „
60	274	North Channel; from Orfordness to Gravesend -	„ 76 „

Note.—The pilots licensed for the South Channels have the option of bringing vessels *up* and *down*, but seldom avail themselves of the privilege of piloting both ways.

In computing the above earnings for income tax assessment, allowances for travelling charges, &c. are made as follows:—London Channel, 20%; River pilots, 12½; Cinque Ports, Old, 15%; New, 20%; Thanet, 30%; East Coast, 50%; Watermen, 10%. These may, therefore, be regarded as "trade expenses."

RETURN of Pilotage Districts (Trinity House); Number of Pilots, Average Earnings, and Extent.

Districts.	Number of Pilots.	Average Earnings.	Limits of District.	Mileage.
		£.		
Aberdovey	3	44	From two miles outside the bar, up the Dovey	4
Beaumaris	15	33	From Port Dinorwic to a line from Great Ormes Head to Point Linas.	14
Bridgwater	13	48	From Anchor Head to Watchet, up the Parret	28
Bridport	4	16	From sea into the harbour	2
Carnarvon	7	24	From two miles outside the bar to Port Dinorwic	9
Carlisle	3	30	From off Maryport to entrance of Carlisle Canal	20
Colchester	4	36	From a line from Naze to buoy of Gunfleet, up the Colne, to Colchester.	24
Dartmouth	10	39	From Bob's Nose to the Start	19
Exeter	22	42	From Lyme to Bob's Nose	34
Falmouth	50	278	From Dodman to Lizard	24
Fleetwood	3	84	From Formby Point to Havering Point	44
Fowey	15	22	From Love to the Dodman	15
Holyhead	8	57	From anchorage at Great Orm's Head, round Anglesea Island, to Bordsey Island.	75
Harwich	8	26	From Sunk Light to Harwich, up the Stour to Manningtree	30
Ipswich	10	120	From the Quays to Harwich Harbour	10
Isle of Wight	83	88	From Owers, inside and outside Isle of Wight, to Peverell (except Poole).	73
Lowestoft	7	63	From sea, through Gatways, to harbour	10
Maldon	7	35	From a line from Naze to buoy of Gunfleet, up Blackwater, to Maldon.	28
Milford	11	17	From Caldy to St. David's Head, thence to Cardigan Island	75
Neath	28	53	From outside the Bar to Neath	6
Newhaven	8	70	From Dungeness to Brighthelmstone	47
Padstow	8	26	Between the Mouls, east of Pentyre Point and the Quays, west of Trevose Head.	6
Penzance	14	16	From Lizard to Cape Cornwall	22
Plymouth	32	104	From Love to the Start	36
Poole	15	47	From Christchurch to St. Alban's Head	15
Portmadoc	7	21	From sea into the harbour	5
Rye	2	84	Between Dungeness and Beachy Head	29
St. Ives	15	—	From Cape Cornwall to Trevose Head	37
Scilly	19	54	A six-mile radius round Bishop Rock Lighthouse.	—
Shoreham	15	50	From Brighthelmstone to the Owers	22
Teignmouth	8	47	From Lyme to Bob's Nose (except the harbour of Exmouth)	26
Wells	3	4	From Burnham Overy to Morston Sluice	8
Weymouth	13	46	From St. Alban's Head to Lyme	36
Woodbridge	9	31	From sea, up the Deben, to Woodbridge	8
Yarmouth	24	27	From sea, through Gatways, to harbour	17

General deduction for income tax at the above ports, 50 per cent.

Appendix (D).

PAPER handed in by Mr. *R. P. J. Simpson*, R.N., 6 May 1870.

RETURN of all COMPLAINTS against PILOTS by the OWNERS of STEAM and SAILING VESSELS for NEGLIGENCE, &c. during the Years 1868 and 1869.

Date of Minute.	Complainant.	No. of Boat.	Name of Vessel.		Nature of Complaint.	Result to Pilot.
			Steam.	Sailing.		
3 Feb. - 1868	W. and J. Tyrer - - -	6	- - -	"Mersey" - - -	The loss of that vessel on the West Hoyle Bank.	Suspended. On the 10th February the Pilot was superannuated.
9 Mar. „	John Barbour & Co. - -	6	- - -	"R. Wark" - -	Leaving the vessel at anchor in the river, and returning next day in a state of intoxication.	Charge withdrawn, but Pilot fined 1*l.* 1*s.* for leaving the vessel without the written permission of the captain.
6 April „	Captain McPhail - - -	2	- - -	"Thistle" - - -	Going on board in a state of drunkenness, and neglecting duty while vessel proceeding to sea.	Suspended; and on the 27th of April license restored, the charge not being proved.
27 July - „	Captain Rosenan - - -	1	- - -	"Antoinettee" - -	Taking the vessel into King's Basin without instructions, the vessel having to proceed to Garston.	Committee satisfied with the Pilot's statement, and that he was free from all blame.
24 Aug - „	James Baines & Co. - -	10	- - -	"Castlemaine" - -	Grounding of the ship in the river -	Reduced to 500 tons' license.
14 Sept. - „	Bibby, Sons, & Co. - -	12	"Albanian" -	- - - -	Neglecting to attend to take vessel to sea.	Fined 5*l.*, and reprimanded; and ordered to make good the loss to the boat, No. 12.
Oct. - „	Guion & Co. - - -	5	"Manhattan" -	- - - -	Stranding of the vessel near "Crosby" Light Vessel.	No longer permitted to act as permanent Pilot of Messrs. Guion & Co.'s steamers.
9 Nov. - „	Underwriters' Association -	2	- - -	"Grand Bonny" - -	Stranding of vessel on Waterloo Beach -	Suspended; and on the 18th November dismissed the service.
30 „ - „	Williamson, Milligan, & Co. -	4	- - -	"Knight of Snowdon"	Refusing to take the vessel into Queen's Dock through the Coburg Entrance.	Reprimanded for want of energy on this occasion, and for neglecting the opportunity for surveying the state of Plockington Bank at low water.
14 Dec. - „	Bibby, Sons, & Co. - -	9	- - -	- - - -	Neglecting to account for 21 dollars received from their agents at Gibraltar for expenses, after having been carried away.	Ordered to return to Messrs. Bibby & Co. 15 dollars (that being the difference between the money received and his actual expenses at Gibraltar), and fined 1*l.* 1*s.* for neglecting to account.

3 May - 1869	Miners & Co. - - -	12	- - -	"Queen of the South" -	Grounding of the vessel on Queen's Channel Bar.	Severely reprimanded for want of caution.
31 „ - „	Captain Hill - - - -	10	- - -	"Ossena" - - -	Negligently bringing the vessel into collision with another vessel at anchor.	Reprimanded, and cautioned to be more careful in future.
5 July - „	John Bibby, Sons, & Co. -	8	"Illyrian" - -	- - -	Causing damage to the vessel's propeller by moving the engines at an improper time, whereby the propeller fouled a buoy and chain off the Canada Dock entrance.	Complaint dismissed, it being admitted that the Pilot had acted under Dock Master's orders.
5 „ - „	John Bibby, Sons, & Co. -	2	"Persian" - -	- - -	Neglecting to attend and take the vessel out of dock.	Fined 2*l.* 2*s.*
5 „ - „	James Moss & Co. - -	2	"Isis" - -	- - -	Intoxicated while on board, and incapable of taking charge; another Pilot employed to take the vessel into the river.	Suspended; and on the 16th August reduced to a 500 tons' license, and further cautioned as to the consequence of a repetition of such conduct, as it was only at the urgent request of the owner that he was not dismissed the service.
26 „ - „	Lamport and Holt - - -	3	"Flamsteed" -	- - -	Allowing the vessel to run against the pier head at Huskisson Dock.	Cautioned to be more careful in future.
6 Sept. - „	W. J. Myers, Sons, & Co. -	6	"Ambrose" - -	- - -	Running foul of the barque "Globe" -	Reprimanded.
18 Oct. - „	Board of Trade - - -	8	- - -	"Empress" - -	Loss of the vessel on Taylor's Bank -	Reduced to 1,000 tons' license for six months.
15 Nov. - „	Owners of ship "City of Lahore."	10	- - -	"City of Lahore" -	Stranding of vessel on Crosby Beach -	Reduced to 500 tons' license.
22 „ - „	John Collar, on behalf of Owners and others.	1	- - -	"Ganymede" - -	Loss of the vessel on Crosby Beach -	Suspended; and on the 29th November superannuated.
29 „ - „	Captain Barnaby - -	12	- - -	"Ada Florence" - -	Grounding of the vessel on Askew's Spit.	Fined 5*l.*, and severely reprimanded for neglecting to use the lead.
1 Dec. - „	G. J. Cornish & Co. - -	4	- - -	"Talba" - - -	For being in a state of intoxication, and leaving the ship.	Suspended for one month; and on the 28th December license directed to be handed to him on the 1st January 1870.

The particulars on this and the preceding sheet, No. 1, have been extracted from the Pilotage Committee Book by me,

E. J. Hale.

2 May 1870.

John Harrison, Secretary.

0.56. 4 B

Appendix (E).

Appendix (E).

PAPER handed in by Mr. *Anthony Bannister*, 13 May 1870.

REQUISITION of certain PILOTS of the RIVER HUMBER.

WE, the undersigned Pilots of the River Humber, do hereby express our desire that a Petition be prepared from us to be presented to the House of Commons, praying that the Pilotage of the River Humber may be exempted from the operation of the Compulsory Pilotage Act; that Messrs. Holden & Sons be desired to prepare such Petition, and represent us as our Solicitors.

(signed) *Wellington Lundie.*
John Harvey.
George Bodiley.
Thomas Wilson.
Henry Featherston.
Henry Walker.

(And 50 other Signatures, making a Total of 56.)

Hull, 14 March 1870.

Appendix (F).

LIST of LIVERPOOL PILOTS appointed for Special and Permanent Service in STEAMERS. Appendix (F).

Name of Pilot.	Boat.	Company by whom Employed.
George K. Dixon	1	Montreal Company (Allan & Co.)
John Lawrenson	2	National Steam Navigation Company.
Frederick C. Ashworth	3	Guion and Company.
George Bridge	4	Inman Mail Steamers.
Hugh Jones	5	Guion and Company.
Joseph Davies	6	Cunard Company.
James Barber	7	National Steam Navigation Company.
William Parry	7	Pacific Steam Navigation Company.
William Wilson	8	Inman Mail Steamers.
Jonathan Hodgson	9	Cunard Company.
John Christie	10	Montreal Company.
Daniel O'Neill	10	City of Dublin Company.
Cornelius Lancaster	11	Cunard Company.
Henry Jones	12	Inman Mail Steamers.

5 May 1870.

LIVERPOOL PILOT BOAT, No. 1.

1st January 1870.—Pilotage Earnings divided into the following Number of Shares, viz. :—

For the owners, the boat's share	$2\frac{1}{2}$ shares.
4 licensed apprentices, at two-thirds of a share	$2\frac{2}{3}$ „
For all unlicensed apprentices	$1\frac{1}{2}$ „
	$6\frac{2}{3}$ shares.
3 masters at one share each	3 „
16 pilots at one share each	16 „
1 journeyman pilot, 2nd class, at five-sixths of a share	$\frac{5}{6}$ „
1 journeyman pilot, 3rd class, at two-thirds of a share	$\frac{2}{3}$ „
TOTAL	$27\frac{1}{6}$ shares.

The Pilot Boats are owned by Pilots and Superannuated Pilots only in the following proportions, viz. :—

20 superannuated or retired pilots hold	238 shares.
34 master pilots	330 „
40 pilots	200 „
TOTAL of Sixty fourth shares	768 shares.

Appendix (F).

THE Number of Applications from Masters and Mates, and the results, are as follows:—

Passed	22
Transferred without re-examination	6
Did not appear	3
Did not appear again after one failure	4
Did not appear again after three failures	1
TOTAL Number of Applications of every kind	36

THE CURRENT EXPENSES OF THE ANNUITY FUND.

	£.	s.	d
2½ per cent. Contribution of Pilots	1,573	6	2
Balance of License Fund	191	6	8
Balance of Fines and Penalties Fund	104	15	7
Interest on Moneys Invested, &c.	436	19	7
TOTAL £.	2,306	8	

THE Number of Annuitants on the 1st January 1870 was as follows:—

	£.
Sick or Superannuated Pilots, 39 annuities	1,065
Pilots' Widows 47 „	750
Pilots' Orphans 46 „	259
TOTAL £.	2,074

THE Average Pensions are as follows (1 January 1870), viz.:—

	£.	s	d.
Pilots Superannuated	27	6	–
Widows	15	19	–
Orphans	5	12	–

The highest pension paid to a superannuated pilot is 48 *l.*, but it might be more, the rule being to allow 1 *l.* of annuity for every full year of active service with a first-class license.

Highest pension paid to a widow, 26 *l.*, but might be more.

The average of all pensions gives 15 *l.* 14 *s.* 3 *d.* for each individual on the fund.

Appendix (G).

PAPER handed in by Captain *John Drew*, 13 May 1870. Appendix (G).

AGGREGATE RETURN of the Tonnage of SAILING and STEAM VESSELS (including their repeated Voyages) that Entered and Cleared during the Years 1860 and 1868, at each of the following Ports.

	Inwards. British.	Inwards. Foreign.	Outwards. British.	Outwards. Foreign.	TOTAL.
1860:					
Bristol - - -	603,852	105,722	406,574	33,720	1,149,868
Cardiff - - -	249,039	242,333	920,514	593,375	1,471,261
Gloucester - - -	91,801	70,809	150,927	17,433	330,970
Newport - - -	163,856	48,659	576,406	108,132	897,053
					3,849,152
1868:					
Bristol - - -	688,691	115,879	444,196	37,467	1,286,233
Cardiff - - -	606,604	356,979	1,479,370	700,755	3,143,618
Gloucester - - -	128,251	94,763	146,115	20,695	389,824
Newport - - -	235,090	68,001	661,893	144,987	1,109,941
					5,929,616
					2,080,464

Appendix (H).

Appendix (H).

PAPER handed in by Captain *John Rosser*, 13 May 1870.

SWANSEA HARBOUR.

RATES OF PILOTAGE.

1.—Compulsory Pilotage.—Henceforth there shall be paid and payable to every pilot duly licensed, employed in navigating or assisting any vessel into or out of Swansea Harbour, viz:—

Register Tonnage.	Inwards.	Outwards.	Total.
	£. s. d.	£. s. d.	£. s. d.
Vessels 50 tons and under 75 - - -	– 10 –	– 6 –	– 16 –
„ 75 „ 100 - - -	– 11 –	– 7 –	– 18 –
„ 100 „ 125 - - -	– 12 –	– 8 –	1 – –
„ 125 „ 150 - - -	– 14 –	– 8 –	1 2 –
„ 150 „ 175 - - -	– 17 –	– 8 –	1 5 –
„ 175 „ 200 - - -	– 19 –	– 8 –	1 7 –
„ 200 „ 250 - - -	1 6 –	– 10 –	1 16 –
„ 250 „ 300 - - -	1 12 –	– 12 –	2 4 –
„ 300 „ 350 - - -	2 3 –	– 14 6	2 17 6
„ 350 „ 400 - - -	2 10 –	– 17 –	3 7 –
„ 400 „ 450 - - -	2 17 6	1 2 –	3 19 6
„ 450 „ 500 - - -	3 5 –	1 7 –	4 12 –
„ 500 „ 550 - - -	3 10 –	1 12 –	5 2 –
„ 550 „ 600 - - -	3 15 –	1 17 –	5 12 –
„ 600 „ 650 - - -	4 – –	2 2 –	6 2 –
„ 650 „ 700 - - -	4 5 –	2 7 –	6 12 –
„ 700 „ 750 - - -	4 10 –	2 12 –	7 2 –
„ 750 „ 800 - - -	4 15 –	2 17 –	7 12 –
„ 800 „ 850 - - -	5 – –	3 2 –	8 2 –
„ 850 „ 900 - - -	5 5 –	3 7 –	8 12 –
„ 900 „ 950 - - -	5 10 –	3 12 –	9 2 –
„ 950 „ 1,000 - - -	5 15 –	3 17 –	9 12 –

Together with an additional sum of 5*s.* in respect of every 50 tons above 950 tons on the inward pilotage; and an additional sum of 5*s.* in respect of every 50 tons above 950 tons on the outward pilotage.

Pilots will take vessels over 500 tons register, outward bound, clear of the Green Grounds, or to the Mumbles Roads, and the above charge includes landing the pilot in all cases.

Vessels of 200 tons and upwards, if boarded beyond the following bearings, shall pay additional pilotage as under:—

	West of Pwlldy Point, bearing N.N.E.	West of Oxwich Point, bearing N.N.E., South of Sker Buoy, bearing E.N.E. or W.S.W.	West of Worm's Head, bearing N.N.E.
	s. *d.*	*s.* *d.*	£. *s.* *d.*
200 tons and under 300 tons -	4 –	5 –	– 6 –
300 „ 400 „ -	5 6	7 6	– 10 –
400 „ 500 „ -	7 6	10 –	– 15 –
500 „ 600 „ -	10 –	12 6	1 – –
600 „ 700 „ -	12 6	15 –	1 5 –
700 tons and upwards - -	15 –	18 6	1 10 –

One-half of the above rates only to be paid and payable to every pilot navigating or assisting any

any vessel (not entering Swansea Harbour) within any part of Swansea Bay, or within the limits of the pilotage ground hereinafter mentioned.

N.B.—Pilotage not compulsory upon vessels under 100 tons register, when entering or leaving Swansea Harbour in ballast; but if any pilotage be required, only a licensed pilot to be employed, and the above rates to be paid.

2.—Optional Pilotage.—Masters of vessels, under 500 tons register, requiring pilots to take their vessels to the Mumbles Roads, or clear of the Green Grounds, to pay, in addition to the outward pilotage rates, the following additional rates, including landing :—

	s.	*d.*		*s.*	*d*
Vessels under 100 tons - -	4	–	Vessels 300 tons and under 400 -	9	6
„ 100 tons and under 200 -	5	6	„ 400 „ 500 -	11	–
„ 200 „ 300 -	7	6			

Masters of vessels requiring pilots to take their vessels to the eastern or western limits, to pay, in addition to the outward rates, the following additional rates, including landing :—

	£.	*s.*	*d.*		£.	*s.*	*d.*
Vessels 300 tons and under 500 -	3	–	–	Vessels 700 tons and under 900	5	–	–
„ 500 „ 700 -	4	–	–	„ 900 tons and upwards -	6	–	–

The following shall be deemed to be the limits of the pilotage ground of pilots appointed and licensed by the Swansea Harbour Trustees, viz. :—" North of the line of the Nash Lights in one,"—and " east of an imaginary line running north and south of a point, four miles westward of the Helwick Light Vessel, placed off the Helwick Shoal, near the Worm's Head, in the county of Glamorgan."

3.—Every pilot required to remain on board a vessel at anchor, whether inward or outward bound, to be paid by the master of such vessel, at the rate of 4*s.* for every 12 hours, or broken portion of 12 hours, that he so remains on board.

4.—The harbour master may nominate such superannuated pilots as he shall think proper to be harbour pilots, who shall only act as pilots in transporting or removing vessels within the harbour.

5.—Masters of vessels requiring to move vessels within the harbour, shall employ a pilot for that purpose, and shall pay such pilot at the following rate :—

	s.	*d.*		*s.*	*d.*
Vessels under 100 tons - -	2	6	Vessels 400 tons and under 500 -	7	6
„ 100 tons and under 200 -	3	6	„ 500 „ 600 -	10	–
„ 200 „ 400 -	5	–	„ 600 tons and upwards -	12	–

N.B.—This rule not to apply to vessels moving within either dock.

6.—If the master of any vessel shall require any pilot to go on board and take his vessel out of the harbour, transport or remove her, and such vessel be not ready to be taken out or moved, half the rates last mentioned shall be paid to the pilot.

7.—Masters of vessels requiring hobblers or boats to assist in removing vessels within the harbour, shall pay each hobbler employed 2*s.*, and for each boat 2*s.*

N.B.—Pilots boarding vessels of heavy draught of water, *are required to communicate with the Harbour Master* on the height of the tides, and receive his directions *previous to bringing the vessels into port.*

No pilot to board vessels from any other vessel or boat than a licensed pilot boat.

Appendix (I).

Appendix (I).

Mr. Hardy's Statement.

(Copied from Mr. Hardy's Letter to the Trinity House, 7th March 1854.)

	£. s. d.
The property of the Cinque Ports Pilots' Fund at the time of valuation by Mr. Peter Hardy, Actuary in 1853, was understood to consist of—	
Several sums of stock, being the accumulation of the surplus monies from foreign pilotage, amounting to - - - - - - - - - -	10,345 – –
Another sum of stock, being the accumulation of certain contributions from the pilots' known Trinity money, amounting to - - - -	6,260 – –
Of a freehold property described in the 10th Clause of the Act, and valued at - - - - - - - - - - - - - - -	780 – –
Amounting together to about - - - £.	17,385 – –
The liabilities under the Pilot Fund were ascertained, by careful valuation of each individual case, to be, present value in money of present pensions to 13 superannuated pilots actually on the funds - - - - - - - - -	4,878 – –
Present value in money of pensions of 50 *l.* per annum each, to 13 pilots now in active service, but who are above the age of 65 - - - - - - - -	5,047 – –
Present value in money of pensions of 12 *l.* 12 *s.* each, to 63 widows now on the fund - - - - - - - - - - - - - - - -	8,041 – –
Present value in money of pensions of 12 *l.* 12 *s.* each, to all the wives of all the existing pilots, active and superannuated, at the decease of their husbands	6,928 – –
Present value in money of pensions of 50 *l.* per annum each, to 117 pilots now in active service, after they shall have attained the age of 65, or previously, at the option of the Trinity House, should they be incapable of performing their duties - - - - - - - - - - - - - - - -	18,958 – –
Present value in money of 143 *l.*, to be paid on the death of each pilot, active and superannuated, to his widow, children, or nominee - - - - - -	11,217 – –
Making a total liability, amounting to - - - £.	55,069 – –
Against which is to be estimated—	
The present value in money of 6 *l.* per annum, a contribution from each pilot, active and superannuated, throughout life - - - - - -	12,532 – –
The present value in money of contribution of 13 *l.* 4 *s.* per annum from each of the 117 pilots remaining in active service, until they shall attain the age of 65, or until superannuated, being at the rate of 11 *s.* per turn per man during service, or in other words, 24 turns per annum - - - -	21,182 – –
Making the value of the future contributions to amount to - - -	33,714 – –
To which must be added the amount of property as previously ascertained -	17,385 – –
£.	51,099 – –
You will observe that the total liability as above - - - - - - -	55,069 – –
And the money value of the property and future contributions being only -	51,099 – –
There is a deficiency of - - - - - - - -	3,970 – –
To which deficiency must be added:	
1st. The present money value of the allowance of 1 *l.* per man per annum during the whole continuance of life, as a compensation to the Trinity House for the expense of conducting the business of the benevolent fund - - - - - - - - - - - - - - -	2,089 – –
Sundry compensation for loss of office, valued, according to the period of service, at about 1,500 *l.*; expenses incurred in effecting the transfer of the Pilots' Fund to the Trinity House, 500 *l.* - - - - - -	2,000 – –
Leaving a total deficiency to be made good to the Trinity House out of the Mercantile Marine Fund, amounting to - - - - - - £.	8,059 – –

It

Appendix (I).

It will be, Sir, in your recollection that the present President of the Board of Trade intimated his willingness to make good the foregoing deficiency out of the funds set apart for that purpose belonging to the mercantile marine, provided that, as a justification for this act of liberality to the Cinque Ports pilots, the pilots themselves would make a sacrifice on their part by the surrender to the Trinity House of the cutters and pilot boats at present their private proverty, which cutters were valued at about 3,000 *l.* Having received your instructions to proceed to Dover to meet a deputation of the pilots, and to acquaint them with the decision at which the President of the Board of Trade had arrived, and the conditions on which he would consent to make good the deficiencies which the valuation of the liabilities had exhibited in their funds, I visited Dover on Saturday, the 11th of February last, and had a conference with the two clerks, Messrs. Thornton and Wood, and with some other members of the late fellowship, in the presence of Captain Noble. The men expressed themselves perfectly satisfied with the arrangement which you authorised me to propose, a copy of which I had the honour to previously transmit to you; they also expressed themselves willing to surrender the cutters, provided the Trinity House would sanction, in lieu thereof, the half-cutters' money, as in case of the Trinity House pilots.

This concession I learn, by a letter from Mr. Herbert, of the 27th ult., has been granted by the Honourable Court of the Elder Brethren, and that there remains nothing further in this matter for me to do.

I am, &c.
(signed) *Peter Hardy.*

	£.	s.	d.
Total liabilities of the Cinque Port Pilots, as stated by Mr. Peter Hardy, actuary, in March 1854, to the Trinity House	55,069	–	–
Assets.—The present value in money of 6 *l.* per annum, a contribution from each pilot, active and superannuated, throughout life	12,532	–	–
The present value in money of a contribution of 13 *l.* 4 *s.* per annum, from each of the 117 pilots remaining in active service until they shall attain the age of 65, or until superannuated, being at the rate of 11 *s.* per turn per man during service, or, in other words, 24 turns per annum	21,182	–	–
Making the value of the future contributions to amount to	33,714	–	–
To which must be added the amount of property as previously ascertained, to	17,385	–	–
£.	51,099	–	–
Dues paid since January 1854 to 31st December 1868, at 11 *s.* per turn, amount to	21,481	7	–
Ditto for the year ending 31st December 1869			
By contributions of 6 *l.* per annum per man, from 1 January 1854 to 31 December 1868, for 143 *l.* to be paid to his relatives at death	10,235	10	–
Ditto for the year ending 31 December 1869			

RETURN of the Sums of Money Received and Paid by the Honourable the Corporation of the Trinity House, on account of the Cinque Port Pilots' Fund.

ACCOUNT of the Sums of Money Received by the Honourable the Corporation of the Trinity House, on account of the Cinque Port Pilots' Fund, taken from Pilotage Returns.

	£. s. d.	£. s. d.
Investments in the Public Funds:—		
Capital transferred from the Cinque Ports Pilots' Fund. Pilotage Returns, 1854	15,958 5 –	
Received from the Mercantile Marine Fund, 6,059 *l.* Pilotage Returns, 1854	6,875 9 10	
Received from the Mercantile Marine Fund, 517 *l.*, *re* James Wood. Pilotage Returns, 1854	559 13 6	
Received from the Mercantile Marine Fund, 9,619 *l.* in further payment. *See* Pilotage Returns, 1856	10,273 19 3	
Investment of the proceeds of a Field at Dover, sold to the War Office for 859 *l.* 10 *s.* 5 *d.* Returns, 1862	932 19 9	
	34,600 7 4	
Deduct for difference in Value of Stock	692 – –	
		33,908 7 4
Interest on the above Stocks:—		
Pilotage Returns 1854	733 17 5	
Ditto 1855	492 11 9	
Ditto 1856	541 9 11	
Ditto 1857	820 15 3	
Ditto 1858	882 8 2	
Ditto 1859	882 8 2	
Ditto 1860	865 11 11	
Ditto 1861	843 3 7	
Ditto 1862	963 12 7	
Ditto 1863	977 12 10	
Ditto, estimated 1864 - not published -	977 12 10	
Ditto 1865 - estimated interest -	970 – –	
Ditto 1866	970 – –	
Ditto 1867	970 – –	
Ditto 1868	970 – –	
Ditto 1869	970 – –	
		13,231 4 5

Per Contra.

ACCOUNT of the different Sums of Money Paid by the Honourable the Corporation of the Trinity House, on account of the Cinque Port Pilots' Fund, taken from Pilotage Returns.

	£. s. d.	£. s. d.
Mr. Thomas Pain, for Law Charges, Pilotage Return, 1854	– – –	448 17 7
Actuary, for Valuation of the Funds:—		
Pilotage Returns 1854	121 – –	
Ditto 1855	200 – –	
Ditto 1856	225 – –	
Ditto 1862	8 10 –	
		554 0 –
Superannuations to Pilots, and Pensions to their Widows, including James Wood:—		
Returns, James Wood, 29 *l.* 6 *s.* 1 *d.* 1854	1,860 11 8	
Returns, James Wood, 72 *l.* 13 *s.* 0 *d.* 1855	2,298 2 11	
Pilotage Returns 1856	2,313 3 8	
Ditto 1857	2,307 10 2	
Ditto 1858	2,260 – 4	
Ditto 1859	2,151 12 7	
Ditto 1860	2,066 4 10	
Ditto 1861	2,045 5 1	
Ditto 1862	2,032 1 10	
Ditto 1863	1,935 14 10	
Ditto 1864	1,815 11 6	
Ditto 1865	1,593 8 5	
Ditto 1866	1,518 4 1	
Ditto 1867	1,494 15 8	
Ditto 1868	1,462 6 4	
Ditto 1869 - No return till May -	—	
		29,164 13 11

By Payment of 11 *s.* by the Pilots on each turn :—			
Pilotage Returns - - - - 1854	2,111 9 –		
Ditto - - - - - 1855	1,701 14 –		
Ditto - - - - - 1856	1,818 17 –		
Ditto - - - - - 1857	1,701 3 –		
Ditto - - - - - 1858	1,614 18 6		
Ditto - - - - - 1859	1,410 15 –		
Ditto - - - - - 1860	1,511 19 –		
Ditto - - - - - 1861	1,586 4 –		
Ditto - - - - - 1862	1,434 19 –		
Ditto - - - - - 1863	1,359 12 –		
Ditto - - - - - 1864	1,152 5 –		
Ditto - - - - - 1865	1,065 7 –		
Ditto - - - - - 1866	1,076 18 –		
Ditto - - - - - 1867	942 – 6		
Ditto - - - - - 1868	993 6 –		
		21,481 7 –	
By Contributions of 6 *l.* per Annum :—			
Pilotage Returns - - - - 1854	843 – –		
Ditto - - - - - 1855	826 10 –		
Ditto - - - - - 1856	798 – –		
Ditto - - - - - 1857	778 10 –		
Ditto - - - - - 1858	763 10 –		
Ditto - - - - - 1859	742 10 –		
Ditto - - - - - 1860	727 10 –		
Ditto - - - - - 1861	715 10 –		
Ditto - - - - - 1862	684 – –		
Ditto - - - - - 1863	642 – –		
Ditto - - - - - 1864	604 10 –		
Ditto - - - - - 1865	549 – –		
Ditto - - - - - 1866	434 – –		
Ditto - - - - - 1867	622 – –		
Ditto - - - - - 1868	505 – –		
		10,235 10 –	
Rent of Meadow and Cliff Land :—			
Pilotage Return - - - - 1854	25 14 2		
Ditto - - - - - 1855	25 14 2		
Ditto - - - - - 1856	25 6 8		
Ditto - - - - - 1857	25 6 8		
Ditto - - - - - 1858	25 12 4		
Ditto - - - - - 1859	25 15 5		
Ditto - - - - - 1860	25 12 6		
Ditto - - - - - 1861	9 12 9		
		188 14 8	
Cash from the Registrar and Treasurers of the Court Pilotage Returns, 1854 - - - -		597 16 7	
From the Mercantile Marine Fund for compensation to Persons injuriously affected by the Act. *See* Pilotage Returns, 1854 - - - - - - - -		604 13 6	
Value of the Pilot House, Dover - - - - - - - - - -	800 – –		
Value of the Pilot House, Deal - - - - - - - - - -	800 – –		
		1,600 – –	
	£.	81,847 13 6	

Repair and Maintenance of Pilot Houses :—			
Pilotage Returns - - - - 1854	91 4 1		
Ditto - - - - - 1855	153 12 5		
Ditto - - - - - 1856	151 5 3		
Ditto - - - - - 1857	158 8 5		
Ditto - - - - - 1858	162 4 4		
Ditto - - - - - 1859	149 1 10		
Ditto - - - - - 1860	164 17 4		
Ditto - - - - - 1861	153 5 –		
Ditto - - - - - 1862	150 11 5		
Ditto - - - - - 1863	174 – 6		
Ditto - - - - - 1864	166 19 6		
Ditto - - - - - 1865	287 10 9		
Ditto - - - - - 1866	207 10 10		
Ditto - - - - - 1867	209 5 –		
Ditto - - - - - 1868	259 1 –		
		2,638 17 8	
Payment of 143 *l.* to Appointees of Deceased Pilots :—			
Pilotage Returns - - - - 1854	429 – –		
Ditto - - - - - 1855	572 – –		
Ditto - - - - - 1856	286 – –		
Ditto - - - - - 1857	715 – –		
Ditto - - - - - 1858	286 – –		
Ditto - - - - - 1859	572 – –		
Ditto - - - - - 1860	143 – –		
Ditto - - - - - 1861	429 – –		
Ditto - - - - - 1862	1,001 – –		
Ditto - - - - - 1863	858 – –		
Ditto - - - - - 1864	429 – –		
Ditto - - - - - 1865	1,001 – –		
Ditto - - - - - 1866	429 – –		
Ditto - - - - - 1867	429 – –		
Ditto - - - - - 1868	286 – –		
		7,865 – –	
Compensation to Persons injuriously affected by the Act. Pilotage Return, 1854	407 18 10		
Ditto - - - - - - ditto - - - - - 1856	151 11 8		
		559 10 6	
	£.	41,231 9 8	

Appendix (J).

Appendix (J).

PORT OF LIVERPOOL.

RETURNS FOR 1865 AND 1869.

	1865.	1869.
1. Gross earnings of pilots	£. 63,413 3 6	£. 67,550 16 1
2. Amount paid to pilots	45,534 – –	48,238 – –
Ditto - to apprentices	1,824 15 10	1,643 4 1
3. Number of each class amongst whom distributed:		
Pilots - 1st class (full license)	210	210
2nd class (1,000 tons, full license)	– – –	12
3rd class (500 tons „)	13	16
4th class (250 tons „)	4	3
Apprentices—3rd class (500 tons „)	21	25
4th class (250 tons „)	27	18
Unlicensed	44	34
4. Highest sum, lowest sum, and average paid to—		
1st class Pilots—Highest	£. 229 19 6	£. 230 11 8
Lowest	193 10 6	206 2 –
Average	210 13 6	218 7 6
Apprentices - Highest	12 *s.* per week	10 *s.* per week.
Lowest	6 *s.* „	6 *s.* „
Average	8 *s.* 2 *d.* „	7 *s.* 9 *d.* „
5. Sums paid by way of pensions or other charities, giving the number and amount of pensions, and stating whether the pensions are paid to any and which of the owners of shares in boats	For answer, *see* the accompanying Lists of Annuitants.	

6. Sums applied in maintaining boats, distinguishing between building, repairing, and other expenses of maintenance.

Answer.—No boats have been built in this period. The working expenses, *i. e.*, repairs and maintenance, were:

In 1865 - £. 2,081
In 1869 - £. 1,855

7. Sums paid to owners of boats in each year.

Answer.—1865 - £. 16,465, less working expenses, £. 5,431
= £. 11,034 net amount.

1869 - £. 16,424, less working expenses, £. 4,977
= £. 11,447 net amount.

8. Prices of shares in boats for last five years.

Answer.—Average price, £. 118. 2 *s.* 2 *d.* per share.

9. Present value of shares.

Answer.—No demand during the present inquiry.

10. Sums actually paid by present holders of shares for their shares.

The reply to this question involves personal application to every boat owner, as they own shares in different boats, bought at different periods, and at various prices. The average given above (£. 118) will, however, probably be under rather than over the price paid per share by present owners.

11. List of persons by whom shares are held, distinguishing between acting pilots, superannuated pilots, and other persons.

Answer.—The shares are held by acting and superannuated pilots only, in the following proportions, viz., 74 acting pilots hold 530 shares; 20 superannuated pilots hold 238 shares. (For "List," *see* accompanying Returns.)

12. List of boats, with their sizes, ages, and present actual value.

Answer.—*See* accompanying "Return of Number, &c. of Liverpool Pilot Boats."

Robert P. J. Simpson,
Superintendent of Pilotage.

2 May 1870.

Appendix (J.)

List of Liverpool Pilot Boat Owners, February 1870.

No.	Name of Owner.	Rank.	Boat.	Number of Sixty-fourth Shares.
1	John Williams	Superannuated Master Pilot	–	28
2	William Hudson	,, ,,	–	20
3	John Shepherd	,, ,,	–	19
4	Thomas Crane	,, ,,	–	12
5	George Bark	,, ,,	–	10
6	Richard Parry	,, ,,	–	9
7	John Blackley	,, ,,	–	8
8	William Lancaster	Executors of	–	13
9	Hugh Williams	Superannuated Second Master Pilot.	–	22
10	John Roberts	Retired Pilot	–	8
11	Richard Owens	,,	–	8
12	Hugh R. Edwards	,,	–	5
13	William Parry	Superannuated Pilot	–	18
14	Robert Nevin	,, ,,	–	14
15	Ellis Hughes	,, ,,	–	10
16	Griffith Hughes	,, ,,	–	9
17	James Porter	,, ,,	–	9
18	Peter Evans	,, ,,	–	8
19	Richard Pritchard	,, ,,	–	6
20	Matthew Matthews	,, ,,	–	2
21	Thomas Parry	Master	3	29
22	Thomas Davies	,,	9	28
23	Isaac Williams	,,	5	27
24	William Rowlands	,,	7	26
25	Robert Williams	,,	11	22
26	John Williams	,,	6	14
27	John Tunstall	,,	12	14
28	Samuel Jones	,,	2	8
29	Peter Dickinson	,,	1	7
30	Mark N. Bridge	,,	4	7
31	Charles Christie	,,	8	6
32	James Wilson	,,	10	6
33	John Price	Second Master	6	18
34	Richard Edwards	,,	7	12
35	William Jones	,,	4	10
36	John Jones	,,	10	10
37	George F. Burrows	,,	12	7
38	William Harris	,,	3	6
39	William J. McCracken	,,	8	6
40	John Scott	,,	11	6
41	John Daniels	,,	5	4
42	Edward F. Callister	,,	1	3
43	John Pritchard	,,	9	2
44	John Morris	,,	2	1
45	Griffith Edwards	Third Master	7	11
46	Charles Long	,,	4	7
47	William Jones	,,	6	6
48	John Hughes	,,	1	5
49	John Pritchard	,,	5	5
50	Thomas Frith	,,	11	5
51	John Jones	,,	3	4
52	John Thomas	,,	8	4
53	Owen Jones	,,	2	2
54	John Williams	,,	9	2

Appendix (J).

List of Liverpool Pilot Boat Owners, February 1870—*continued.*

No.	Name of Owner.	Rank.	Boat.	Number of Sixty-fourth Shares.
55	Samuel Jones	Pilot	12	20
56	James Barber	„	7	18
57	John Bark	„	8	16
58	Thomas Martin	„	4	12
59	George K. Dixon	„	1	10
60	John Williams	„	7	10
61	John C. Malbon	„	8	9
62	Septimus Dixon	„	3	8
63	William Brewer	„	3	8
64	James Higgin	„	3	7
65	John Christie	„	10	7
66	Thomas M. Parry	„	10	6
67	Philip M. Foster	„	6	5
68	Henry Jones	„	12	5
69	Hugh Jones	„	7	4
70	Henry Holliday	„	8	4
71	William Parry	„	11	4
72	William Taylor	„	1	3
73	Joseph Davies	„	2	3
74	Hugh Jones	„	3	3
75	Thomas W. Quirk	„	4	3
76	William Browne	„	6	3
77	Hugh Williams	„	8	3
78	William P. Owen	„	8	3
79	Charles S. Daniels	„	1	2
80	George Parkinson	„	1	2
81	Thomas J. Smith	„	3	2
82	Henry Madrell	„	7	2
83	Richard J. Owen	„	7	2
84	William Long	„	8	2
85	William Evans	„	8	2
86	John Evans	„	10	2
87	Cornelius Lancaster	„	11	2
88	Richard Williams (*b*)	„	11	2
89	John B. Sumner	„	1	1
90	Frederick Thornton	„	5	1
91	Thomas Owen	„	7	1
92	Joseph Martin	„	8	1
93	Jonathan Hodgson	„	9	1
94	John Walters	„	11	1

SUMMARY.

20	Superannuated or Retired Pilots hold	238	shares.
12	Master Pilots	194	„
12	Second Master Pilots	85	„
10	Third Master Pilots	51	„
40	Pilots	200	„
94	Boat Owners hold	768	shares.

Robert P. J. Simpson,
Superintendent of Pilotage.

RETURN of Number, &c. of Liverpool Pilot Boats, April 1870.

Number.	NAME.	Rig.	Where Built.	When Built.	Length.	Breadth.	Depth.	Register Tonnage.	Price.
					Feet.	*Feet.*	*Feet.*	*Tons.*	£. s. d.
1	Queen	Schooner	Cowes	August 1856	79 4/10	17 4/10	9 7/10	61·18	2,407 14 8
2	Leader	ditto	Ipswich	November „	76	18 8/10	9 2/10	60·57	2,500 – –
3	The Duke	ditto	Liverpool	„ 1852	69	15 7/10	9	61·33	2,280 – –
4	Auspicious	Cutter	ditto	August 1849	60 5/10	14 7/10	9 2/10	49·45	2,016 3 8
5	Victoria and Albert	Schooner	West Cowes	November 1856	78 5/10	17 4/10	9 8/10	61·33	2,411 – –
6	Pioneer	ditto	Liverpool	August 1852	68	15 7/10	7 6/10	52·81	2,010 – –
7	Lancashire Witch	ditto	West Cowes	February 1863	80 7/10	18	9 6/10	56·05	2,630 – –
8	Pride of Liverpool	ditto	Liverpool	July 1861	80	17 6/10	9 7/10	64·46	2,560 – –
9	Guide	ditto	Ramsey	January 1862	90	18	9 4/10	66·75	2,150 – – 1,075 – –
10	Criterion	ditto	Ipswich	February 1854	74 5/10	15 3/10	9 3/10	61·11	2,300 – –
11	Mersey	Cutter	Liverpool	September 1847	55 1/10	14 6/10	8 7/10	47·36	2,400 – –
12	Perseverance	Schooner	Ipswich	„ 1860	81 2/10	18	9 4/10	59·16	2,220 16 –
								£.	28,960 14 4

Robert P. J. Simpson,
Superintendent of Pilotage.

Number and Tonnage of Sailing and Steam Vessels which belonged to the Port of *Liverpool* in each of the last Ten Years.

YEARS.	SAILING.				STEAM.			
	Of and under 50 Tons.		Above 50 Tons.		Of and under 50 Tons.		Above 50 Tons.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
1860	283	10,008	1,945	923,715	37	1,403	186	66,482
1861	286	10,239	2,071	1,007,052	36	1,330	203	79,457
1862	288	10,423	2,189	1,081,960	37	1,271	231	90,826
1863	289	10,322	2,370	1,274,933	37	1,294	256	120,355
1864	282	10,056	2,439	1,399,716	49	1,576	291	143,137
1865	277	9,859	2,364	1,371,792	52	1,628	346	184,685
1866	272	9,642	2,297	1,316,675	56	1,749	373	203,915
1867	267	9,422	2,221	1,274,194	63	1,940	378	218,097
1868	262	9,289	2,208	1,288,545	64	1,890	350	205,171
1869	248	8,828	2,114	1,238,245	62	1,752	357	236,148

During the last few years the registers have been cleared of a number of vessels which had been lost or broken up in previous years. Most of these were sailing vessels. This will account for the apparent decrease in the number of sailing vessels during the last few years.

Appendix (K).

Appendix (K).

PAPERS handed in by Mr. *Graves*, M.P.

Letter from Mr. *MacIver* to Mr. *Graves*, M.P.

My dear Sir, Liverpool, 13 June, 1870.

I have to own receipt of your letter of the 10th instant, saying, "that but for my absence abroad, I would have been asked to give evidence before the Select Committee now sitting on the Bill for the Abolition of Compulsory Pilotage at Liverpool, but that you are still anxious of ascertaining my views on the change proposed by the Bill." I never saw the Bill until within the last three days, nor did I know what its provisions were.

I see it proposes to leave the entire control of the pilots in the hands of the local authorities, as at present, and leaving it optional with the shipowners to take a pilot or not. My own opinion is, that the local authorities—meaning chiefly the Mersey Docks and Harbour Board—ought to have the entire control of the pilots; and so long as that Board continues to represent and control the River Mersey, and all its approaches, I think its control ought not to end where it is, but ought to extend to the Liverpool steam-tug system also. The very worst I could say of the Liverpool pilot system would redound to its credit; but what the proposed voluntary system might prove, I could not take upon myself to say exactly. Having experience of the one, I can speak positively in favour of its having tended to the security of life and property, and its suitability to such a port as the Mersey; but I would not favour the other clause of making it optional with the shipowner to take a pilot or not, because I believe it would have just the contrary effect, and tend to the insecurity of life and property. No doubt about it at all in my mind.

As for the pilotage authority, as at present constituted, I do not know any other form of authority likely to ensure a more impartial tribunal in the interests of the shipowners, the pilot, and the port.

I did not arrive from abroad until after the evidence of Captain Judkins had been given. I mean, that he could not by possibility know my opinions as to the points on which he has given evidence, but, having read his evidence, must say it is singularly expressive of what I would have said myself on most points, so that you might almost take his evidence as my own. He does not overrate the difficulties of the approaches to the River Mersey, as applicable to the "Scotia" class, nor the River Mersey itself, but, singularly enough, some witnesses lay so much stress upon inward-bound vessels, as leads me to believe that their practical experience of Liverpool Mersey risks cannot be great. I know too much of Liverpool winter weather, and what it is off the Liverpool Banks, to underrate the risks and dangers there; but the part that has concerned me personally has been the outward-bound vessels, and there is no individual in Liverpool, unless an actual pilot, can have had longer experience in regulating the sailing of outward-bound vessels than I have had myself, and if I were to say one word depreciatory of the pilots as a whole, the present pilotage system, or the suitability of the present boats for the service, I think it would be unjust and untruthful, and I have never in my life, up to the present hour, expressed other opinions. True I have said, and do so now, some of the individual pilots have been very stupid, and done some stupid things; but I have never considered them infallible, or that the same accidents or incidents that have happened to our ships in their hands would not have happened if they had not been there, or our captains solely in charge. The foregoing will show you I cannot in any sense of fairness or justness indorse the support of the proposed Bill by the Association of Steamship Owners of Liverpool as represented by individuals; neither would I like to be considered as assenting to the opinions expressed in evidence by Members on behalf of the Liverpool Steamship Owners Association. I have never managed my own business on principles such as have been enunciated as governing them in the conduct of their steam vessels, nor would I at all consider it as contributing to the proper conduct of the Cunard Company to lead anyone to suppose these were the principles that did govern me, or would govern me, in the management of the steamships entrusted to my charge. The right of choice of particular pilots, on which so much stress has been laid by some witnesses is, to my mind, "a delusion and a snare." At all events, all parties may understand the choice of a particular man, as a pilot, forms no part of the ground or reason for the Cunard Mail Steamers taking licensed pilots from Liverpool or Cork off their licensed ground. The true reason for employment of special pilots in this way on board the Cunard Mail Packets was given to you by Captain Judkins, and there really never was any other reason. As for exercising

exercising the right of individual choice or preference for any one man, it was just the reverse with me; for if I had detected influence of any kind exercised by the captains in favour of any particular pilot, I should certainly have passed it by, fearful that I was contributing to an exercise of favouritism rather than acquiring ability and character, and would have fallen back on the pilotage authorities to furnish a licensed pilot, in their estimation the right and fit man for putting in charge of such ships as the Cunard Company's Mail Steamers are.

All the conditions that I had in view, viz., safety to life and property, and saving of time in taking a pilot on board at Queenstown, in place of having to look for one about Point Lynas, were all fulfilled, not by having the man of our own choice, but having a properly qualified licensed pilot on board in whom the pilotage authorities had confidence for the conduct of that special class of ships.

Something is attempted to be made in evidence of a Cunard Steamer at some time or other having been ashore on the Liverpool Banks. Now, that steamer, I take leave to say was one of our Mediterranean steamers, not coming inwards, but outward bound, or it may have been another of our vessels going to Havre; but in neither of the cases was blame attachable to the pilot, nor have I any reason to believe these accidents would not have happened if a pilot had not been on board. I believe just the reverse of that; for whatever the accidents may have been with us with pilots on board, my conviction is that accidents would have been much more serious and much more frequent if we had been sailing without pilots or with pilots on the voluntary system. The first of these cases of our ships being ashore, happening when I was at home, I went down to the Banks myself and individually had a hand in helping her off; and it was on the spot that I inquired into all the circumstances of her getting on, and acquitted the pilot then, and it would be most unjust to say anything different now. The ship in question had one of our most experienced captains on board, accustomed to the River Mersey and its approaches, as far as anyone making foreign voyages of two months' duration can be expected; and before communicating with the pilot at all, I ascertained that he himself had mistaken the light, owing to the fog or particular condition of the atmosphere so frequently occurring in the neighbourhood of Liverpool; for most of our serious accidents have happened very close to the Rock Lighthouse, at the very entrance to the Mersey, and it was my own practical experience of this very thing that enabled me to appreciate what no theoretical knowledge could overtake.

The captains of the Cunard vessels generally are not second to any other captains sailing out of the port of Liverpool. I am entitled to say that much for them, as it will be news to me to hear of other captains who have done their work better, whilst I know so many have not done their work quite so well. Yet in saying this I must not be understood as leading you to believe that I am one of those who, after so very long practical experience would willingly ask these captains, in the weather that so often prevails in Liverpool, to take a large vessel and necessarily heavily draughted vessel—and frequently just as the evening is setting in and bad weather too—to sea without a pilot. It would be a much graver responsibility than I would feel justified in assuming; I mean being accessory to sending a ship to sea without a properly licensed pilot. I would never dream of doing such a thing; and whether the future system were compulsory or voluntary, my practice would be the same, considering that I never was free from responsibility in such a matter, unless I could show that all reasonable means had been taken to contribute to safety. Hence, you understand, it would be a licensed pilot of Liverpool, and not a man of my own choice, that I should look to have, leaving the responsibility of finding such a pilot, as it is now, on the pilotage authorities, and suppose there would be some such board, even if the present compulsory system were altered to a voluntary one.

You see I can speak with great freedom to you, although I do not know that you quite understand what the Cunard Company really means, and it would be very odd if you did, for I do not know it exactly myself. But, so far as I am concerned, it is only a popular name given to, at least some of the ships which are under the direction of the MacIvers at Liverpool; but our Liverpool and Glasgow steam coasting trade existed long before the present partners in these steamers had the pleasure of knowing the late Sir Samuel Cunard. About 40 years ago the Clarence Dock was opened, our Glasgow steamers occupied the south side of it, then the most efficient class of steamers known at the time, and so are they now, and occupying precisely the same berths in that dock. These vessels for 40 years, and before that, have been all advertised in the public prints as sailing from Liverpool, with or without pilots. It might be a long story to go into all the outs and ins of this, but you will see at a glance, when I point out that these Glasgow steamers' hours of sailing from Liverpool, then as now, were fixed on with reference to arriving at Greenock at a particular time of tide, enabling them to run up direct to Glasgow, and for some other reasons not necessary to mention here. And as these sailing hours varied, running frequently in the night, however willing we might be to take the licensed pilots of Liverpool, the sailings being so frequently in the evening, and the traffic so small through the particular channel these vessels went, there was no inducement for a pilot boat to be in the way to take off the pilots, even if it had been convenient and safe to do so, and the same applying to the inward passages led to the absolute necessity of qualifying pilots for ourselves for these particular steamers; and with steamers like these going and coming two or three times in the week, this is not only practicable, but on the whole, more advantageous and equally protective to life and property, as any other course could be, as, under Providence, these ships hitherto have gone and come from the Mersey with comparative freedom from accidents; but when I am asked to apply the same

Appendix (K).

principle to our deep-sea foreign-going steamers, I am not willing to do so, because the essential condition for a favourable result is wanting, viz., practice obtained by leaving and entering the port of Liverpool two or three times a week.

I am not one of those who believe that a theoretical examination on the Mersey and its approaches is sufficient to qualify for the safe conduct of large vessels making for Liverpool, or going out of Liverpool, nor would I, looking to the security of life and property, be content with any such qualification, so that unless I had reason to know that the individual was a real seaman, and had had a continuous service of going into and out of the port of Liverpool, at least once a week, and had done so for years previously, I would not consider him a qualified pilot to guide a captain of ours in the conduct of a large ship; whether it be sailing or steam, it would make no difference. But in a steam vessel there is a difference, and how a pilot could properly navigate a steamer without knowing the effect of the propelling power, under given circumstances, is quite beyond my comprehension, practically speaking, and I would not exercise the choice in favour of individual pilots, even if put in my power to-morrow, neither would I advise anyone else to do it, on the score of ordinary prudence alone.

I enclose you a circular issued to our captains against trusting their ships to pilots when off the ground for which they hold special license, and you will see I express no opinion upon the responsibilities of a captain whilst on pilot ground with the pilot on board. This circular is nothing new, but has been re-issued lately since I came home, owing to the evidence that I have seen given by other parties than Captain Judkins on the proposed new Pilotage Bill.

There is just one other thing that I, perhaps, ought to mention to you; that without going so far as to say that I may possibly be as largely interested in steam navigation as any other individual in the United Kingdom, still, I neither own, nor am interested, as owner, or manager, in any steam vessel belonging to a joint stock company, all the steamers that I have to do with from Liverpool being property of private co-partnery. But that you may have some idea of the work done by the familiarly-called "Cunard Company," and its relative extent as compared with the whole tonnage arriving and sailing from the port of Liverpool, taking the combined tonnage of sailing and steam, I enclose you a list, giving the number of actual sailings and arrivals last year, the men discharged and engaged, the tonnage and dock dues, and also pilotage paid; and if there be any other information or point on which you would like information, you have just to ask for it.

I would rather not go to London, because, as you may imagine, my hands are pretty full at present with my own work, and I never pretended at any time to neglect that for public business; but, at the same time, if it be thought as a matter of justice that I ought to appear, I can be summoned, and I will go irrespective of personal inconvenience. Only do without me if possible.

The present pilotage system has not cost the Cunard Company much trouble, when I tell you that I do not even know where the present pilot committee sit; in other words, I have not been before them for 25 years, and you know enough of me to guess if there had been a serious case affecting me I would not have been absent. The only suggestion I would make might be, that any pilot proved a second time drunk should have his license taken from him, and be discharged without recourse; and that the meetings of the pilotage committee might be open to the public in all cases of serious inquiry, as secrecy or supposed secrecy gives cause for imaginary grievance. Thus, you see, it would be nonsense to say that nothing about the present system could be improved, although I think it would be the greatest mistake possible to depart from the principle of recognised stations, and adopt the perambulatory principle of pilots going in search of vessels. That is not applicable to this channel, and never would work in practice as satisfactorily as the present system has done, and I should doubt the practical judgment of anyone, be he pilot or captain, who, with sufficient experience of this channel and approaches to Liverpool, would recommend such change. If I were asked whether the present pilot boats could be greatly improved, either in safety or adaptability for such services as they have to render off the Liverpool Banks, in all weathers, I would say, No.

Steam pilot boats is not a new but a very old idea. I have discussed it often and over again with the late superintendent of pilots, but I could never disguise from myself that the steam pilot boat would not only be very expensive, but of questionable advantage, and that it would not answer the purpose better, nor be a safer boat for services on the Liverpool Banks than the present pilot boats, and whoever says the contrary, let him render a reason intelligible and satisfactory to those who have to risk their lives in such a service.

With the aid of the many now existing tug-boats, pilots might be put on board, and taken from the pilot boats when on station; that, I think, would be a desirable thing. It would be a saving of time, and save taking boats off the station, but when once on board their own pilot boats, I would consider them more safe than in a small steamer of any kind. I give this opinion without ever having spoken to a pilot about it. I would not like to give an opinion about a horse, but I am not afraid to give an opinion about a Liverpool pilot boat for the particular service, the weather they are exposed to off the Liverpool Banks, or its relative safety as compared with other class of vessels that come under my observation, and I have been a great deal about the world, in vessels of all kinds, excepting vessels of war.

Now, one thing more, and I have done. Perhaps you may not be aware we have never used English coal for our foreign-going vessels, and, until lately, that a portion of it has been

been brought to Birkenhead by rail from South Wales; all our coal was brought at that time, chiefly by sailing vessels, from Newport and Cardiff. These sailing vessels carried from 80 tons up to 350, and averaged, perhaps, a ship for every day in the year. Now, keeping in mind that we were ourselves insurers of the cargo, and that during a series of years we have never paid 100 *l.* in losses altogether, I cannot, with such a fact before me, say that the compulsory system of pilotage has not contributed to the safety of those vessels, and even the small loss of a hundred pounds or two over so many years, and with so many vessels each year, the loss in question did not happen at all on the Liverpool coast. What our losses might be with voluntary pilotage we have yet to find out. I give your our experience of the compulsory, and we have no wish to try the other, and still remain insurers on the cargo. I consider the increased risk to property would be very great, and, as a matter of course, if to property also to life.

Yours, &c.

S. R. Graves, Esq., M.P. for Liverpool. (signed) *Chas. MacIver.*

LETTER from Mr. *John Wallace* to Mr. *Graves*, M.P.

British and North American Royal Mail Steam Packet Company,
Sir, Office, 8, Water-street, Liverpool, 14 June 1870.

MR. MACIVER has requested me, with reference to your note about the Pilotage Bill, &c., to forward the accompanying Returns, which he thinks will give you the information desired. From these it appears that the Company pay *here* for pilotage over 3,200 *l.* per annum; that they contribute to the Dock Estate a twelfth of its entire revenue from tonnage dues; enter under one-fourteenth of the total tonnage reported; have a seventh of the steam tonnage, and pay a sixth of the tonnage dues levied thereon.

This was for the financial year ending 24th June 1869, and there is no doubt that when this year's accounts are compiled, our position will be found to be more satisfactory, as the sailings of the Company's steamers have been much more numerous.

I am, &c.

S. R. Graves, Esq., M.P., (signed) *John Wallace.*
5, Cleveland-row, St. James's, S.W.

Appendix (L).

Appendix (L).

STATEMENT of VESSELS entering the Port of *London* which Employed PILOTS from SEA in the Year 1869.

In the North Channel - - - - - - - - - -	1,292
In the South Channel - - - - - - - - - -	3,774

Trinity House, London, 2 May 1870.

Robin Allen, Secretary.

STATEMENT showing the Number of VESSELS that entered the Port of *London*, and Paid LIGHT, &c. DUTIES, during the Year 1869.

	British Vessels.	Foreign Vessels.	TOTAL.
From Ports North of Norden (*i. e.*, by North Channel).	1,469	2,026	3,495
*From Norden and Ports South to Rotterdam	203	298	501
From Rotterdam and Ports Southward (*i. e.*, by South Channel).	5,535	1,301	6,836
	7,207	3,625	10,832

	From the North of the Thames.	From the South of the Thames.	TOTAL.
Coasting Vessels - - - - - - -	14,123	4,636	18,759

*Vessels from these Ports use the North or South Channel according to the state of wind and weather.

Trinity House, London, 29 April 1870.

Robin Allen, Secretary.

INDEX

TO THE

REPORTS

FROM THE

SELECT COMMITTEE

ON THE

PILOTAGE BILL.

Ordered, by The House of Commons, *to be Printed,*
8 *and* 12 *July* 1870.

INDEX.

ANALYSIS OF INDEX.

ALPHABETICAL and CLASSIFIED LIST of the PRINCIPAL HEADINGS in the following INDEX, with the Pages at which they will be found.

PAGE

ACCIDENTS - - - - - - - - 585
Compulsory Pilotage - - - - - - 605
Liability - - - - - - - - 632
Loss of Life - - - - - - - 651
Safety of Life - - - - - - - 660
Voluntary Pilotage - - - - - - 680

Belfast - - - - - - - - - 593
Board of Trade - - - - - - - 593
Boats - - - - - - - - - 594
Liverpool, I. 12 - - - - - - 641

BRISTOL AND BRISTOL CHANNEL:
I. *Bristol:*
1. As to the present Pilotage Arrangements and their Operation - - - - 595
2. Question of Voluntary Pilotage in the Avon - - - - - - 596
3. Question of Voluntary Pilotage from Lundy to Kingroad - - - - 596
II. *Cardiff, Newport, and Gloucester:*
1. As to the Establishment of Voluntary Pilotage and its Effect - - - 597
2. Evidence relative especially to the Case of Gloucester - - - - - 597
3. Supply and Earnings of Pilots with reference to the Increase of Trade - - 598
III. *Suggested Establishment of Compulsory Pilotage throughout the Bristol Channel* - - - - 598
IV. *Conclusions and Recommendations of the Committee* - - - - - - - 598
Boats - - - - - - - - - 594
Swansea - - - - - - - - - 666

Cinque Ports Pilots - - - - - - - 600
Thames, The - - - - - - - - 668

City of Dublin Steam Packet Company - - - 600

CLYDE, THE:
I. *From Glasgow to Greenock:*
1. Extent of Compulsory Pilotage District - 601
2. Constitution of the Pilotage Board, and Regulations adopted as to Licenses, Rates, &c. - - - - - - 602
3. Evidence as to the Difficulties and Dangers of the Navigation, and as to the great importance of Compulsory Pilotage on this and other Grounds - - - 602
4. Licensed Masters and Mates - - - 603
5. Exemptions - - - - - - - 603
6. Liability of Pilots - - - - - 603
7. Feeling in Glasgow adverse to Voluntary Pilotage - - - - - - 603
8. Evidence favourable to Voluntary Pilotage, subject to Harbour Master's Regulations - - - - - - - 603
9. Conclusions and Recommendations of the Committee - - - - - 603
II. *From Greenock Seawards* - - - - 604

Compensation - - - - - - - - 604
Belfast - - - - - - - - - 593
Dublin, 4 - - - - - - - - 610
Hull, II. 4 - - - - - - - - 626
Liverpool, IX., X. - - - - - - - 649
Thames, The, IX., X. - - - - - - 675

COMPULSORY PILOTAGE: PAGE
1. *Report by Mr. Lindsay's Committee in Favour of partial Abolition* - - 605
2. *Evidence in Favour of Abolition generally* 605
3. *Evidence in Defence of the Compulsory Principle* - - - - - - - 605
4. *Conclusions of the Committee favourable to Abolition* - - - - - - 606
Accidents - - - - - - - - 585
Anomalies of System - - - - - - 587
Belfast - - - - - - - - - 593
Belgium - - - - - - - - - 593
Boats - - - - - - - - - 594
Bristol and Bristol Channel - - - - 595
Chambers of Commerce - - - - - - 599
Clyde, The - - - - - - - - 601
Dublin - - - - - - - - - 609
Exemptions - - - - - - - - 612
Falmouth - - - - - - - - 612
Foreign Countries - - - - - - 619
France - - - - - - - - - 619
Galway - - - - - - - - - 620
Hull - - - - - - - - - 624
Insurance - - - - - - - - 627
Liability - - - - - - - - 632
Light Dues - - - - - - - - 637
Liverpool - - - - - - - - 637
Lloyd's - - - - - - - - - 650
Local Authorities - - - - - - 651
Passenger Ships - - - - - - - 656
Penalties - - - - - - - - 657
Safety of Life - - - - - - - 660
Shipowners - - - - - - - - 662
Swansea - - - - - - - - - 666
Thames, The - - - - - - - - 668
Trinity House - - - - - - - 677
Tugs - - - - - - - - - 678
Underwriters - - - - - - - 679
Voluntary Pilotage - - - - - - 680
Waterford - - - - - - - - 682

DUBLIN:
1. *As to the present Pilotage Service and its Administration* - - - - - 609
2. *Question of Compulsory or Voluntary Pilotage* - - - - - - - 609
3. *Character of the Navigation* - - - 610
4. *Question of Compensation under a Voluntary System* - - - - - 610
5. *Dublin and Kingstown Steam Packet Company* - - - - - - - 610
City of Dublin Steam Packet Company - - 600
Exemptions (Compulsory Pilotage) - - - - 612
Anomalies of System - - - - - - 587
Channel Islands - - - - - - - 599
Clyde, The, I. 5 - - - - - - - 603
Foreign Vessels - - - - - - - 619
Havre - - - - - - - - - 621
Hull, I. 3 - - - - - - - - 625
Liverpool, II. - - - - - - - - 642
Thames, The, V. - - - - - - - 672
Trinity House - - - - - - - - 677
Falmouth - - - - - - - - - 613

Free Trade - - - - - - - - - 619
Licensed Pilots - - - - - - - 636
Rates - - - - - - - - - 658
Voluntary Pilotage - - - - - - 680
Grimsby - - - - - - - - - 620
Hull - - - - - - - - - 624

Hull (Humber Pilotage District): PAGE

1. *As to the present Pilotage System:*
   1. Constitution of the Pilotage Authority, and satisfactory Character of its Administration - - - - - - - 624
   2. Liberal Course pursued as regards Pilotage Certificates - - - - - - 624
   3. Exemptions from Compulsory Pilotage - 625
   4. Staff of Pilots, and Amount of Earnings - 625

II. *As to the Question of Voluntary Pilotage:*
   1. Local Feeling in disapproval generally of the Bill - - - - - - - - 625
   2. Character of the Navigation as affecting the Question at issue - - - - - 625
   3. Views of the Pilots in regard to the Application of the Bill - - - - - 626
   4. Claim to Compensation - - - - - 626
   5. Conclusions of the Committee adverse to the Retention of Compulsory Pilotage - 626

Goole - - - - - - - - - - 620
Grimsby - - - - - - - - - - 620
Tugs - - - - - - - - - - 678

Insurance - - - - - - - - - 627
Underwriters - - - - - - - - 679

Liability:
1. *State of the Law as to the Exemption of Owners from Liability when a Compulsory Pilot is employed* - - - 632
2. *Mischievous Effect of the present Law* - 633
3. *State of the Law in Foreign Countries* - 633
4. *Suggestions for the Liability of the Owner, concurrently with Compulsory Pilotage* - 633
5. *Objections to the foregoing Proposition* - 634
6. *Suggested Liability concurrently with Compulsory Payment* - - - - - - 634
7. *Suggestions for enlarged Liability, as by the Adoption of Voluntary Pilotage* - - 634
8. *Considerations as to the relative Position and Functions of the Master and Pilot, with reference to the Question of Liability of the Owner* - - - - - 634
9. *Question of Remedy against the Pilot* - 635
10. *Extent of Liability of the Underwriter* - 635
11. *Liability in respect of Loss of Life* - - 635
12. *Suggestions for an increased Immunity of Owners* - - - - - - - 636
13. *Conclusions of the Committee* - - - 636

Admiralty Vessels - - - - - - - 586
Barges - - - - - - - - - 592
Belgium - - - - - - - - - 593
Canada - - - - - - - - - 599
France - - - - - - - - - 619
Holland - - - - - - - - 623
Litigation - - - - - - - - 637
North German Confederation - - - - 655
Pilots' Indemnity Fund - - - - - 657
Safety of Life - - - - - - - 660
Shipowners - - - - - - - - 662
"Spindrift," The - - - - - - 664
United States - - - - - - - 679
Voluntary Pilotage - - - - - - 680

Licensed Pilots - - - - - - - 636
Local Authorities - - - - - - 651
Masters and Mates - - - - - - 653
Number of Pilots - - - - - - 655

Liverpool (Mersey Pilotage District):
I. *As to the present Pilotage Service and its Administration:*
   1. Establishment of Compulsory Pilotage under different Acts - - - 637
   2. Argument that Compulsion applies only to Payment of Rates - - - 638
   3. Constitution and Action of the Mersey Docks and Harbour Board, as the Pilotage Authority - - - 638

Liverpool (Mersey Pilotage District)—cont^d. PAGE
I. *As to the present Pilotage Service, &c.*—continued.
   4. Number of Pilots and Apprentices, and Amount of Work performed - - 638
   5. Evidence as to the Efficiency of the Service - - - - - - - 639
   6. Evidence as to Inefficiency - - - 639
   7. Pilot Stations - - - - - 639
   8. Selection of Pilots - - - - 640
   9. Complaints, and their Investigation - 640
   10. Pilotage Rates, and Earnings of Pilots 640
   11. Annuity Fund and Pensions - - 641
   12. Pilot Boats, and Boat Ownership - 641
   13. Other Details generally - - - 642

II. *Exemptions from Compulsory Pilotage* - - 642

III. *Examination of Masters and Mates for Pilotage Certificates* - - - - - - - - 643

IV. *As to the Navigation of the Mersey:*
   1. Concurrence of Testimony as to the exceptional Difficulties and Dangers of the Navigation - - - - - - 643
   2. Evidence to the effect that the Navigation is not exceptionally hazardous - - 644
   3. Efficiency in the matter of Buoys, Lights, &c. - - - - - - - - 645

V. *Accidents to Piloted and Unpiloted Ships respectively* - - - - - - - - 645

VI. *Relative Tonnage of Sailing Ships and Steam Ships* - - - - - - - 645

VII. *Enormous Trade of the Port* - - - - 645

VIII. *As to the Question of Compulsory or Voluntary Pilotage:*
   1. Concurrence of Evidence in strong Opposition to the application of the Bill to Liverpool - - - - - 646
   2. Local Feeling upon the Question at issue - - - - - - 647
   3. Views of the Liverpool Pilots - - 647
   4. Efficiency respectively of Compulsory Pilots, and of Licensed Masters and Mates - - - - - - - 648
   5. Proposed Extension of the Compulsory Principle - - - - - 648
   6. Effect of Voluntary Pilotage as regards the Rates - - - - - 648
   7. Evidence in approval generally of the proposed adoption of Voluntary Pilotage - - - - - - - 648

IX. *Question of Compensation* - - - - 649

X. *Summary by the Committee, and Conclusion arrived at in favour of the Application of the Bill* - - - - - - - - - 650

Boats - - - - - - - - - 594
City of Dublin Steam Packet Company - - 600
Cunard Service - - - - - - - 606
Forward, Mr. - - - - - - - - 619
Johns, Richard - - - - - - - 628
Queenstown and Cork - - - - - - 658
"Royal Charter," The - - - - - 660
Runcorn - - - - - - - - - 660
Steele, Mr. - - - - - - - - 666
Thames, The, VIII. 3. - - - - - 674
Tugs - - - - - - - - - 678
Voluntary Pilotage - - - - - - 680

Local Authorities - - - - - - - 651
Licensed Pilots - - - - - - - 636

Masters and Mates - - - - - - - 653
Hull, I. 2 - - - - - - - - 624
Liability - - - - - - - - - 632
Liverpool, III. - - - - - - - 643
Thames, The - - - - - - - - 668

Number of Pilots - - - - - - - 655
Bristol and Bristol Channel - - - - 595
Clyde, The - - - - - - - - 601
Compensation - - - - - - - - 604
Hull, I. 4, II. 1 - - - - - - - 625

Number of Pilots—continued. PAGE
Licensed Pilots - - - - - - - 636
Liverpool, I. 4. - - - - - - - 638
Thames, The, III. IV. VIII. - - - - 668
Voluntary Pilotage - - - - - - - 680
Passenger Ships - - - - - - - - 656
Thames, The, III. 2 - - - - - 669
Penalties - - - - - - - - - 657
Queenstown and Cork - - - - - - 658
Rates - - - - - - - - - - 658
Licensed Pilots - - - - - - - 636
Salvage - - - - - - - - - 661

Safety of Life:
1. *Objection to Voluntary Pilotage as prejudicial to Safety of Life* - - - 660
2. *Dissent from the foregoing Conclusion* - 660
3. *Question as to the Expediency of Legislative Interference with the Responsibility of the Shipowner* - - - - - - - 661

Accidents - - - - - - - - 585
Shipowners - - - - - - - - - 662
Liability - - - - - - - - 632
Liverpool, VIII. 2 - - - - - - 647
Steamships - - - - - - - - 665
"Spindrift," The - - - - - - - 664
Steamships - - - - - - - - - 665
Liverpool. VI. - - - - - - - 645
Shipowners - - - - - - - - 662

Swansea:
1. *Generally as to the present Pilotage Arrangements* - - - - - - - 666
2. *Difficulties of the Navigation; Importance attached to Compulsory Pilotage* - - 666
3. *Conclusions favourable to the Discontinuance of Compulsory Pilotage* - - 667

Bristol and Bristol Channel - - - - 595

Thames, The (Port of London):
I. *Long Period for which Compulsory Pilotage has existed* - - - - - - - 668
II. *Extent of the Compulsory District* - - 668
III. *Generally as to the Pilotage Service, its Administration and Working*:
1. Particulars as to the various Classes of Pilots, and the Number of each Class - - - - - - 668
2. Pilots for the Home-Trade Passenger Ships - - - - - - 669
3. Qualifications of the Pilots - - 669
4. Rates - - - - - - - 669
5. Question as to the Sufficiency of the Supply of Trinity Pilots - 669
6. Question of retaining a separate Station at Gravesend, or of Licensing Pilots for the whole Distance to and from Dungeness - 670
7. Working of the Cruising Station at Dungeness - - - - - 670
8. Other Details generally - - 671
IV. *As to the Thames Watermen*:
1. Details as to their Number, Qualifications, and Services - - 671
2. Rates and Earnings - - - 672
3. Effect of the Bill as regards their Employment - - - - - 672
V. *Exemptions from Compulsory Pilotage* - 672
VI. *Accidents* - - - - - - - - 673
VII. *Character of the Navigation* - - - 673

Thames, The (Port of London)—continued. PAGE
VIII. *Question of Compulsory or Voluntary Pilotage*:
1. Evidence favourable to Voluntary Pilotage in the Thames District generally - - - - - - 673
2. Evidence opposed to the foregoing View - - - - - - 674
3. Operation of the Voluntary System in the North Channel; Inferences drawn therefrom - - - 674
IX. *Question of Compensation* - - - - 675
X. *Detailed Summary by the Committee, and Conclusions arrived at* - - - - 675

Barges - - - - - - - - - 592
Cinque Ports Pilots - - - - - - - 600
Deal Boatmen - - - - - - - - 608
Licensed Pilots - - - - - - - 636
Liverpool, IV. - - - - - - - - 643
Out-ports - - - - - - - - - 656
Penalties - - - - - - - - - 657
Shipowners - - - - - - - - 662
"Spindrift," The - - - - - - - 665
Trinity House - - - - - - - 677
Tugs - - - - - - - - - 678
Voluntary Pilotage - - - - - - 680

Trinity House - - - - - - - - 677
Outports - - - - - - - - - 656
Thames, The - - - - - - - - 668
Tugs - - - - - - - - - - 678
Tyne, The - - - - - - - - - 679
Underwriters - - - - - - - - 679
Insurance - - - - - - - - 627
Lloyd's - - - - - - - - - 650

Voluntary Pilotage:
1. *Evidence in Approval* - - - - 680
2. *Evidence in Disapproval* - - - 681
3. *Conclusions of the Committee* - - - 682

Accidents - - - - - - - - 585
Belfast - - - - - - - - - 593
Boats - - - - - - - - - 594
Bristol and Bristol Channel - - - - 595
Chambers of Commerce - - - - - 599
Clyde, The - - - - - - - - 601
Compensation - - - - - - - - 604
Compulsory Pilotage - - - - - - 605
Discipline - - - - - - - - 608
Dublin - - - - - - - - - 609
Dundee - - - - - - - - - 611
Exemptions - - - - - - - - 612
Falmouth - - - - - - - - 612
France - - - - - - - - - 619
Free Trade - - - - - - - - 619
Hull - - - - - - - - - 624
Insurance - - - - - - - - 627
Legislation - - - - - - - - 631
Leith Chamber of Commerce - - - - 631
Liability - - - - - - - - 632
Licensed Pilots - - - - - - - 636
Light Dues - - - - - - - - 637
Liverpool, VIII., X. - - - - - 646
Lloyd's - - - - - - - - - 650
Local Authorities - - - - - - 651
Passenger Ships - - - - - - 656
Queenstown and Cork - - - - - 658
Rates - - - - - - - - - 658
Safety of Life - - - - - - - 660
Salvage - - - - - - - - - 661
Shipowners - - - - - - - - 662
Thames, The - - - - - - - - 668
Trinity House - - - - - - - 677
Tugs - - - - - - - - - 678
Tyne, The - - - - - - - - 679
Uniformity - - - - - - - - 679

I N D E X.

[*N.B* —In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; those following *App.*, to the Pages in the Appendix; and the *Numerals* following *Rep.*, to the Pages in the Report.]

A.

Abolition of Compulsory Pilotage. See *Compulsory Pilotage. Voluntary Pilotage.*

Accidents:

Obstacles to any satisfactory return of the comparative losses in compulsory and in non-compulsory pilotage districts, respectively, *Farrer* 609-611——Very limited degree in which the non-compulsion to take a pilot tends to increase the liability to accident, *Sir F. Arrow* 1840–1842.

Large number of small vessels without pilots lost last year in going to Liverpool, whereas there was only one large ship lost with a pilot, *Judkins* 2049. 2110-2116. 2170. 2196, 2197. 2214-2216——Exceedingly small proportion of accidents in the case of piloted ships in the Mersey, *Danson* 3273–3277; *Simpson* 4543–4545——Of sixty-eight casualties in the Mersey district in 1869, only one occurred to a vessel with a pilot on board, *Galloway* 4066.

Increased liability to accident in the case of coasters not taking pilots, *Simpson* 4324–4327——Numerous accidents in the Clyde before 1825, when there was no pilotage in the river; necessity then shown for the introduction of compulsory pilotage, *Turner* 4782. 4802, 4803. 4840——The record of wrecks shows that casualties occur almost entirely in the case of ships without pilots, *Mallett* 7516.

Belief as to vessels for London being more frequently lost when without than when with pilots, *Tozer* 8182——Much more frequent accidents in the Thames when unlicensed than when licensed pilots are employed, *Speeding* 9152-9158. 9205——Circumstance of the Trinity pilots acting only in the day time, so that they run less risk of accident than the waterman pilots, *Hinton* 9499, 9500——Instances of vessels getting on shore in the river at Belfast, when not in charge of pilots, *Benson* 9899-9901. 9919–9922.

Numerous and heavy losses of witness's firm, owing to the negligence of the licensed pilots of Liverpool, *Leyland* 10039–10041. 10125, 10126. 10140–10143——Consideration of certain evidence as to the numerous accidents to vessels in the Mersey without pilots, as compared with the few accidents when compulsory pilots are employed; grounds for dissenting from the inferences drawn therefrom in favour of the compulsory system, *ib.* 10057–10064. 10076–10079. 10146–10150. 10199–10208——Explanation as to the apparently greater danger of vessels in the Mersey when not under charge of pilots; several instances, on the other hand, of piloted vessels going on shore, *Inman* 10367–10373. 10388–10397.

Impression that a certain return of casualties to vessels without pilots in the Thames, refers mainly to vessels of an inferior class not subject to compulsory pilotage, *Sir F. Arrow* 11904–11910——Instances of accident to vessels in the Clyde in charge of river pilots, *Lee* 11937. 11944, 11945——Fewer accidents to witness's ships in the Thames, when not in charge of licensed pilots, *Robinson* 12371.

Peculiar freedom from accidents in the case of coasting passenger steamers not subject to compulsory pilotage, *Rep.* xxviii.

See also *Compulsory Pilotage. Liability. Loss of Life. Safety of Life. Voluntary Pilotage.*

Report, 1870—*continued*.

Adams, William. (Analysis of his Evidence.)—Concurrence in the complaint of Mr. Robert Lee as to the grievance suffered by the Greenock deep-sea pilots through the encroachments of the river pilots, 11959–12010——Small earnings now made by witness and the majority of the deep-sea pilots, 12002–12009.

Admiralty Vessels. Statement showing that the captains and masters in the navy are held responsible by the Admiralty, notwithstanding that a pilot may be in charge, *Farrer* 89-91——Distinction between Admiralty vessels and private vessels, in the former not being obliged to take pilots, *ib.* 544–547——Statement as to Admiralty vessels being allowed a pilot only three times in and out when going to a strange port, *Johnson* 12254–12257.

Alexander, Alexander. (Analysis of his Evidence.)—Long experience of witness as a Clyde pilot, 5436–5438——Excessive size of some of the ships now built on the Clyde, the greatest care being required in order to take them safely down the river, 5439–5448. 5452–5456——Necessity of a pilot with local knowledge of all details of the navigation, in order to take vessels up and down the river; great danger by the captain acting as pilot, 5448–5456. 5479–5484——Probability of many vessels not employing pilots in the Clyde under an optional system, 5457. 5461–5466.

Expectation that efficient pilots would not be forthcoming if their employment were optional and their remuneration uncertain, 5458–5469. 5486–5489——Reasons why an ample supply of pilots may exist on the Tyne and Wear, under non-compulsory pilotage, though they would not be found in the Clyde, 5471–5478.

Large number of masters licensed as pilots for river steamers on the Clyde; unfitness of these to pilot large vessels, 5490–5502——Obligation upon ships when launched to take a pilot down the river, 5503–5505——Necessity of pilots, irrespectively of steam tugs, 5505–5507——Very easy pilotage below Greenock, 5508–5510——Extent of employment of pilots by vessels to and from Greenock: doubt as to this being any proof that pilots would be taken between Greenock and Glasgow, 5511–5536.

Allan, James. (Analysis of his Evidence.)—Represents the firm of Allan & Co., of the Allan line of steamers from Glasgow; has been for many years chairman of the Glasgow Pilot Board, 5209–5218 ——Great importance of the detailed regulations laid down by the Clyde trustees and by the Pilot Board, it being essential to have local pilots thoroughly acquainted with the details, 5219–5233——Danger in connection with the dredging and other works going on in the river, 5223–5233——Enormous traffic on the river, there being great danger from the numerous river steamers as well as from the large ships, 5234–5244. 5270–5272.

Statement as to the number of masters and mates licensed as pilots for river steamers, &c., and as to the license fee in each case being fixed at 20*s.* a year, 5245–5249. 5261–5265. 5379 5388——Grounds for the conclusion that but for the compulsion to take a pilot many vessels not knowing the port might try to save pilotage rates, to the great jeopardy of the navigation, 5250–5258. 5307–5335——General feeling of shipowners in Glasgow in favour of compulsion; exceptional instances to the contrary, 5259, 5260. 5374–5378.

Obstacle to widening the navigable channel of the Clyde, where it is most narrow, 5266–5269——Impracticability of navigating the Clyde merely by chart, 5272——Approval of non-compulsory pilotage generally, the Clyde being altogether an exceptional case, 5273–5278——Inferiority of the Greenock deep-sea pilots as compared with the Glasgow pilots, 5279–5285——Expediency of the Clyde compulsory pilotage district being somewhat extended, by making the tail of the bank instead of Newark Castle the legal boundary; practically, this is the boundary at present, 5289–5291. 5354–5367.

Inadequacy of harbour masters' regulations for meeting the difficulties of the navigation, 5292–5295——Defence of the immunity of the owner concurrently with compulsory pilotage; with or without the former the latter is imperative, 5296–5306——Relative functions of the captain and pilot adverted to; approval of the complete charge vested in the latter, 5299–5301——Charge of the pilotage both by the foot and by tonnage, 5337–5340——Approval of extending the liability of the pilot from 20*l.* to 100*l.*, 5341–5346.

Concurrence in the view that non-compulsory pilotage should not be forced upon Liverpool, 5368–5371. 5389–5391——Opinion that local authorities should have discretion as to the system most suitable for their wants, 5389–5391.

Anderson, Arthur (The late). View of the late Mr. Anderson of the Peninsular and Oriental Company, on the question of compulsory pilotage, *Farrer* 81. 209.

Annuities to Pilots. See *Compensation.*

Report, 1870—*continued.*

Anomalies of System. Doubt as to its being practicable to abolish existing anomalies, short of an abolition of compulsion, *Farrer* 492-494——Admission as to there being anomalies, or different regulations for different ports not removed or dealt with by the Bill, *ib.* 689-693——Material object of the Bill to get rid of existing anomalies, *ib.* 830-833.

Anomalies by reason of exemptions, which should as far as possible be abolished, *Danson* 3139. 3232.

Conclusion of the Committee that the present system is anomalous to the last degree, both in the extent to which compulsory pilotage is carried and in its exemptions, *Rep.* xxvii——Grounds for the conclusion that the only way to get rid of existing anomalies is by the general abolition of compulsion, *ib.* xxvii-xxx.

See also *Board of Trade. Exemptions.*

Apprentices. Approval of entrusting the pilotage authorities with the regulation of the number of apprentices, *Farrer* 465-468——Number and qualifications of pilot apprentices under the Trinity House; how far these have any claim to compensation under the Bill, *Sir F. Arrow* 1607-1613.

Arrow, Sir Frederick, Knight. (Analysis of his Evidence.)—Has been in the Trinity House since 1859, and has been Deputy Master for nearly five years, 1368-1370——Great extent of the pilotage district of the Trinity House, it being the largest district in the kingdom, 1370. 1376, 1377——Explanation that on the question of compulsory pilotage witness speaks only for himself, having no authority to submit the views of the Elder Brethren, 1372-1375. 1389——Readiness evinced by the Trinity House in granting exemptions, although some years since they were opposed, as a body, to the abolition of compulsion; the subject has not been discussed since 1862, nor has the present Bill been considered, 1372, 1373.

Several classes of pilots in the Thames district, and number of each class, 1378, 1379——Numerous exemptions in the district from compulsory pilotage, the exemptions being considered fully equivalent to the compulsory cases, 1380-1388. 1406-1408——Opinion that pilotage should either be entirely voluntary or entirely compulsory; grounds for concluding that the voluntary system should be adopted generally, 1389-1408——Belief that on the whole pilots will be as much employed under a voluntary system, and that safety of life and property will not be jeopardised, 1389. 1391, 1392.

Peculiarly difficult character of the navigation of the Thames district, 1393-1395——Effect of the relief of the owner from liability in placing the captain and pilot of a ship in a wrong position, and as having an evil tendency in other respects, 1396-1402——Illustration in the case of the "Spindrift" of the mischievous effect of the responsibility vested in the pilot under the compulsory system, 1398, 1399——Expediency in any case of the liability clause of the Merchant Shipping Act being repealed; belief that with such repeal the opposition to the abolition of compulsory pilotage would soon disappear, 1402-1408.

[Second Examination.]—Very large examination of masters and mates by the Trinity House for pilotage certificates, the certificates being confined to the ships of the same owner, 1409-1412——Steps taken by the Trinity House on several occasions for an extension of exemptions, 1413, 1414——Important effect of the increased use of steam in diminishing any arguments that existed for compulsory pilotage, 1415-1417.

Jurisdiction exercised by the Trinity House, not only as to the limits of the different pilotage districts, but as to the number of licensed pilots for each district, 1418-1424——System of superintendence and control to which the pilots are subject, 1425, 1426——Employment of four pilot cutters at Dungeness; maintenance of these by the Trinity House out of the "boarding money" paid to the pilots in addition to the pilotage rate, 1427-1434. 1629-1633. 1854, 1855——Particulars relative to the composition and administration of the superannuation fund, the amount of which is now 88,000 *l.*, 1435-1442. 1724-1728.

Belief that in the Trinity House district the abolition of compulsion would have no material effect upon the employment or earnings of the pilots, 1443-1445. 1481. 1767. 1783-1791——Expediency of the local authorities having power to limit the number of licensed pilots, and to protect them against unlicensed pilots, 1446-1448. 1453-1458. 1866——Expediency also of a regulated price, 1449-1452——Probable necessity of a higher rate in winter than in summer, 1450. 1464-1466. 1651——Tendency of the voluntary system to render the pilots more vigilant and zealous, 1457, 1458. 1665-1667.

Doubt whether there can be any improvement upon the present cruising ground at Dungeness, as by stationing the cutters further to the west, 1459. 1668, 1669——Facility of re-arranging the pilotage districts, should it be found necessary as a consequence of the Bill, 1460-1463——Expectation that under voluntary pilotage there will be equally good attendance at sea in bad weather, 1464-1466. 1665-1667. 1758-1761——Very satisfactory working of the voluntary system in the North Channel of the Thames, 1467-1471.

Report, 1870—*continued.*

Arrow, Sir Frederick, Knight. (Analysis of his Evidence)—*continued.*

Improbability of its being necessary to make much use of the compensation clauses of the Bill; suggestions hereon on the subject of superannuation under different circumstances, 1472–1481. 1600–1606. 1670–1673. 1813–1815. 1876—— Evidence to the effect that the navigation of the Thames (where the voluntary system answers) is more difficult than that of any other pilotage district, not excepting Liverpool; detailed examination hereon, with reference more especially to the navigation of the Mersey, 1482–1493. 1584–1594. 1781. 1843–1848. 1858. 1935–1940——Further statement as to compulsory pilotage not being necessary or defensible with reference to safety of life; exemption of coasters adverted to hereon, 1494, 1495. 1502–1516. 1762–1764. 1800–1804. 1840–1842.

Effect of an abolition of exemptions in compelling many more vessels to take pilots, thus imposing a heavier liability upon shipping, 1496–1501——Admission as to the advantage of a licensed pilot as a safeguard against danger; doubt whether much risk would be incurred by owners in order to save this expense, 1502–1516——Circumstance of unlicensed pilots being frequently employed in the Thames, on account of the reduced charge, 1517–1520. 1897——Absence of change in the number of pilots in the Thames during the last ten years, though the number has been decreasing round the coast; belief as to the sufficiency of licensed pilots, 1521–1527. 1768–1770. 1863. 1918–1920.

Satisfaction given generally by the pilotage service in the Thames, though there is some room for improvement, 1528. 1597–1599——Opinion favourable to the abolition of compulsion, even though the anomalies in respect of liability might be otherwise removed, 1529, 1530. 1542–1547. 1792–1799——Belief as to the continued responsibility of the captain of a ship after he has taken a licensed pilot on board, 1531–1535. 1690–1697 ——Termination of the compulsory waters of the Thames at Dungeness, outwards as well as inwards; question hereon, whether they might not as well terminate in the Downs, 1536–1541.

Exception taken to the shipping interest being compelled to pay pilotage rates, though not compelled to employ pilots; practice as to payment for lights adverted to hereon, 1553–1568——Statement as to the Pilotage Committee of the Trinity House not having been consulted with reference to the Bill, 1569–1574——Further explanation in regard to the Trinity Board not having discussed the question, nor recorded their opinion since 1862; 1575–1580.

Objection to its being left to each pilotage authority to adopt voluntary or compulsory pilotage, 1581. 1595, 1596——Approval of the examination and licensing of pilots being entrusted to the local authorities. 1582, 1583——Less necessity for compulsory pilotage since the great improvements effected in buoyage and lighting, 1601. 1848.

Number and qualifications of pilot apprentices under the Trinity House; how far these have any claim to compensation under the Bill, 1607–1613——Custom of owners in the Thames to take pilots as a protection against liability in the event of collision, 1614, 1615 —— Consideration of the case of the owners of sailing barges plying from the Medway into the Thames, these barges being often run down by steamers with pilots on board, and having no adequate redress, 1616–1628—— Proposal in the Merchant Shipping Bill that the pilots shall have two sureties to the bond of 100 *l.* given by them, 1625, 1626. 1874, 1875.

Efficiency of the pilot service of the Tyne under the voluntary system, 1634–1638—— Explanation of the arrangements in force at Southampton as to the selection of pilots by the large steamships; payment of one-third of the earnings of these men to a common fund, 1639–1650——Statement as to the reluctance shown by the Falmouth pilots to keep out at sea, and as to the steps taken by the Trinity House to correct the evil, 1652—— Advantage if the pilotage at Falmouth were entirely voluntary, 1652, 1653——Explanation as to the much smaller number of vessels piloted outwards than inwards at Falmouth, 1654–1656.

Doubt as to the pilot boats under a voluntary system being inefficient, 1657–1659. 1816–1822—— Obstacle to steam pilot boats on account of the expense, 1660—— Occasional demand in the Thames for more pilots than are comprised in the licensed staff at Dungeness, &c.; use made of the services of Deal boatmen and of watermen on these occasions, 1662–1664—— Absence of collusion between the licensed pilots and the watermen as to the latter piloting small ships, 1664. 1917.

Dissent from the view that the master of a passenger ship should be required to possess a pilotage certificate before being allowed to navigate without a pilot, 1674–1681—— Circumstance of the common law carrying immunity of the owner from liability when there is a compulsory pilot on board; conclusion that exemption under such condition is not unreasonable, 1682–1689—— Duty of the master of a ship to act irrespectively of a compulsory pilot on board if he sees that the latter is evidently in the wrong, 1690–1697.

System of supervision by the Elder Brethren of the Trinity House and by sub-commissioners over the out-port districts, 1698–1702——Consideration of the constitution of the Trinity

Report, 1870—*continued.*

Arrow, Sir Frederick, Knight. (Analysis of his Evidence)—*continued.*

Trinity House with reference more especially to the question of representation of the mercantile and shipping interest at the Board, 1703–1718. 1837–1839——Qualifications of the Thames watermen as regards navigation between Gravesend and London, adverted to; doubt as to shipowners taking a waterman on board, as well as a pilot, in order to assist in the pilotage, 1719–1723. 1892–1894.

Witness repeats that he sees no necessity for exemptions from a non-compulsory system, 1728–1732. 1759——Very few complaints against the Trinity House pilots, 1733——Practice as to the investigation of complaints, as in the case of the "Spindrift," 1733–1736——Further statement as to the Trinity House having for some years past acted in the direction of increased exemptions from compulsory pilotage, 1737–1740. 1742–1745.

Large and increasing trade of the Bristol Channel adverted to in connection with the pilots' earnings under the voluntary system, 1740, 1741——Concurrence in the view that the obligation to take a licensed pilot, if any at all be taken, is very desirable, 1746, 1747. 1785–1788——Improved lighting of the Bristol Channel cited as facilitating the adoption of voluntary pilotage, 1748–1752——Probability of the navigation of the Mersey being more difficult than that of the Bristol Channel, 1753–1758——Further statement that under a voluntary system in the Mersey pilots would be found sufficiently far out, and in bad weather, if their services were required, 1758–1761.

Belief that under voluntary pilotage there would be no difficulty in keeping up the supply of pilots at Dungeness, 1765–1767——Decrease since 1862 in the number of ships in the Thames, although the tonnage had largely increased; this partly accounts for the non-increase in the number of pilots, 1768–1770——Suggestion in regard to the navigation of the Clyde near Glasgow being under the jurisdiction of the harbour master, it not being necessary to maintain compulsory pilotage, 1771–1775. 1823–1830.

Efficiency of the Cinque Port pilots, there being very few complaints against them, 1776–1780——Objection to the principle of compulsion, even though under the voluntary system ships may equally employ pilots from the same class as at present, 1782–1791——Contemplated right in a licensed pilot to supersede an unlicensed pilot, 1805, 1806——Difficulty of the question of the captain of a steam-tug being regarded as a licensed pilot, 1807–1812. 1849, 1850.

Expectation that under voluntary pilotage in the Mersey perfectly efficient pilot boats will be found, 1816–1822——Information relative to the examinations of the Trinity House for pilotage certificates; qualifications required, 1831–1834——Competency of certificated masters to navigate in pilotage waters without risk to life or property, 1835, 1836. 1840–1842——Very limited degree in which the non-compulsion to take a pilot tends to increase the liability to accident, 1840–1842——Opinion as to the present pilotage rates in the Thames not being excessive, 1851–1857——Checks upon vessels being sent to sea badly found, 1859–1861.

Large number of free watermen or unlicensed pilots in the Thames above Gravesend, and large amount of pilotage work done by them; denial that this proves any insufficiency of licensed pilots, 1862–1864. 1885–1900. 1907. 1918–1920——Doubt as to the expediency of licensing the free watermen; approval rather of the licensed men being protected against their encroachments, 1862. 1865–1868. 1885–1924——Instances of licensed pilots perfectly unable to meet their liabilities for accidents, 1869, 1870——Opinion favourable to pilots being licensed for the whole distance from London to the sea, instead of there being a break at Gravesend, 1872.

Objection to unlimited liability of pilots under a voluntary system, 1873——Control to be exercised in such a harbour as that of Swansea by the harbour master, when ships come in with or without pilots, 1877–1879——Objection to the plan of having the tug alongside in towing, 1881–1884——Exception taken, on the score of qualification, to the licensing of the free watermen, 1901–1914——Character of the vessels of the pilots who cruise in the North Channel; earnings of those pilots as compared with those of the South Channel, 1925–1934.

Power of the London pilots to make claims for salvage without the consent of the Trinity House, whilst the Dungeness and North Channel pilots cannot do so, 1941–1945——Expediency of legislation to the effect that no pilot be enabled to claim salvage without the previous consent of the pilotage authority, 1941. 1945–1948——Circumstance of the Board of Trade having refused power to the Trinity House to prevent their pilots holding shares in steamers, 1949.

[Third Examination.]—Detailed information relative to the navigation of the Mersey, witness contending that the difficulties have been much exaggerated before the Committee, and that no exceptional case exists calling for compulsory pilotage, 11837–11855. 11859. 11862. 11878——Greater difficulty of the navigation of the mouth of the Thames than of the Mersey, 11840. 11846——Careful watching of the sands and shoals in the estuary of the Thames and on the east coast, the changes being great and frequent, 11850–11855.

Report, 1870—*continued.*

Arrow, Sir Frederick, Knight. (Analysis of his Evidence)—*continued.*

With regard to the navigation of the Clyde near Glasgow, witness repeats that this is more a harbour master's question than a pilot's question, 11856-11858. 11862. 11889, 11890——Dissent from certain evidence as to the navigation of the Humber being difficult and exceptional, 11860-11862——Apparently excessive and extravagant scale upon which the Liverpool pilotage service is conducted, 11863. 11874-11877. 11894-11897——Very few complaints as to the supply of pilots in the North Channel of the Thames, where the pilotage is voluntary, 11864-11867.

Facilities under the Bill for regulating the number of pilots, and for securing their attendance at their stations, 11868-11872——Absence of hardship in compelling the men to keep to their stations so long as they are protected by being licensed, 11868-11874——Means of protection open to the licensed men in the North Channel against unlicensed men, 11879-11884——Steps contemplated by the Trinity House for largely extending the exemptions on the Thames, irrespectively of the Bill, 11885-11887——Logical conclusion that exemptions having once been made more must follow, 11886-11888.

Distinction between artificial river pilotage and sea pilotage, the former being a harbour master's question, 11889-11893——Opinion as to the Avon presenting a stronger case for pilotage than the Clyde, 11898-11901——Probable difficulty in respect of entrance to the harbour at Swansea, 11902, 11903——Impression that a certain return of casualties to vessels without pilots on the Thames refers mainly to vessels of an inferior class, not subject to compulsory pilotage, 11904-11910.

Avon, The. Explanation by the Committee as to their insertion of a clause in the Bill empowering bye-laws to be made for the regulation of the Avon, as far as Kingroad, *Rep.* xxvi——*See* also *Bristol and Bristol Channel.*

B.

Ballantine, Captain William. (Analysis of his Evidence.)—Is in command of the "Scandinavian," of the Montreal line; has had more than twenty years' experience of the Mersey, 2959-2963——Great efficiency of the Liverpool pilotage service, 2964-2972. 3109, 3110——Excellent working of the system of stations for the pilots, 2966-2970——Great imprudence in going in or out of the port without a pilot; details hereon as to the exceptionally difficult and hazardous character of the navigation, 2973 *et seq.*

Opinion that it should be compulsory upon every vessel in the Mersey to take a pilot, the smaller ships paying a reduced rate, 2980. 3069-3076. 3088-3096. 3113——Expectation that if the pilotage were not compulsory many vessels would run risks in order to save the charge, 2984, 2985. 3088. 3113——Probability that on a certain occasion witness's ship would have run upon a sunken rock had he not had a pilot on board, 2991-2994.

Conclusion that under a voluntary system there would not be an available supply of pilots in bad weather, whereas the present organization ensures a supply, 2995-3011——Illustration in the case of the "St. Lawrence" of the advantages consequent upon the adoption of pilot stations, 3001-3006——Explanation as to the relative position and responsibilities of witness and of the pilot on board; objection to any increase of the responsibility of the captain, who has quite enough already, 3012-3018. 3032-3034. 3111, 3112. 3116-3120.

Opinion as to the earnings of the Liverpool pilots being none too much, 3021, 3022——Very general feeling among captains in Liverpool in favour of the present pilotage system, 3023, 3024——Explanation on the subject of the employment of two selected pilots by witness's company, these being taken on to Londonderry, and picked up there on the return voyages, 3035-3053. 3077-3085. 3104-3108. 3121——Doubt as to vessels for Liverpool finding it advantageous to stop at Queenstown for pilots, 3054-3058. 3086, 3087. 3107.

Objection to any interference with compulsory pilotage at Liverpool, chiefly on the ground of danger to life, 3088-3090. 3113——Very low rates at Liverpool, 3092——Inadequacy of charts for the navigation of the Mersey, without a pilot, 3097-3106——Probability of compulsory pilotage not being necessary in many ports, such as the Clyde, 3113-3115.

Bannister, Anthony. (Analysis of his Evidence.)—Is a merchant and shipowner of Hull, and has been chairman of the Humber Pilotage Commissioners for about twenty years, 5537-5540——Regulation of the pilotage system of Hull by an Act passed in 1832; 5541——Examination and licensing of pilots by the Hull Trinity House, whilst the administration of the pilotage rests with the Pilotage Commissioners, 5541-5543. 5747-5749. 5773-5775——Large representation of merchants and shipowners on the commission, the Trinity House and the corporation being also represented, and there being seventy-two commissioners altogether, 5543-5545. 5763-5766.

Total

Report, 1870—*continued.*

Bannister, Anthony. (Analysis of his Evidence)—*continued.*

Total of sixty-eight pilots and seven pilot boats, 5546, 5547. 5563——Extent of the pilotage district, and system of cruising by which the supply of pilots is regulated, 5548, 5549. 5560–5565——Careful investigation of complaints by the commissioners, these, however, being very rare, and the system giving universal satisfaction, 5550–5559. 5622. 5746. 5750, 5751. 5767——Information relative to the supply and training of apprentices, of whom there are twenty-one: important advantage on this score of the school possessed by the Trinity House, 5566–5573. 5663. 5757, 5758.

Particulars relative to the navigation of the Humber as being exceedingly intricate and dangerous, so that it is most essential to secure an efficient supply of pilots, 5574–5586. 5626. 5631–5633. 5637–5641. 5673–5678—— Belief that the Bill would ruin the present efficient service, and that if the pilotage were not compulsory pilots would not be found when wanted in bad weather, on account of the uncertainty of employment, 5587. 5598–5607. 5619–5622. 5701–5708. 5759–5762——Very liberal licensing of masters and mates at Hull, 5588–5592. 5747. 5752–5754. 5782, 5783—— Exemption of coasters and of foreign vessels of light draught, 5593–5595.

Moderate earnings of the pilots under the present compulsory system, 5596, 5597—— Unanimous feeling of the Pilotage Commissioners against the Bill, there being in fact no local feeling in its favour, 5605–5607. 5622. 5763–5772—— Exception taken to the clauses as to compensation, this being a matter which should rest with the local authority rather than the Board of Trade, 5608–5612. 5695–5700. 5755, 5756——Gratuitous services rendered by the Hull commissioners: small expenses of the commission for salaries, &c. 5613–5615.

Very moderate pilotage rates, there being different scales according to distance, 5623–5625. 5709–5713. 5776–5779——Grounds for concluding that under a voluntary system many vessels would incur risk by not taking a pilot, 5626–5636. 5679–5689. 5721–5727 ——Practice as to pilotage between Hull and Goole, there being branch pilots for the service, and the rates not causing complaint, 5642–5652——Belief as to Grimsby being opposed to interference with the present system, 5653–5656 ——Question as to a reduction of the number of pilots and apprentices under a voluntary system; danger of any reduction, 5657–5672. 5755, 5756——Evidence relative to the question of liability of owners, to the effect that even with a compulsory pilot on board the captain should continue in charge of the ship, and the owner should be responsible for accidents, 5690–5694. 5728–5745. 5784–5793——Fair claim of the pilot to charge his own rates if he risks his life under a voluntary system, 5714–5717——Further reference to the numerous exemptions from compulsory pilotage at Hull, though foreign vessels are not included in the category, 5752–5754. 5780–5783.

[Second Examination.]—Production of, and explanation upon, a certain document signed by fifty-six out of sixty-eight pilots in the Humber, praying to be exempted from the operation of the Bill, 6337 *et seq.*——Statement to the effect that a previous document, signed by forty pilots, in disapproval of the present system and in favour of the Bill, was signed under a misconception, and in the belief that they would receive compensation and be free to demand their own rates, 6343 *et seq.*

Barfield, William. (Analysis of his Evidence.)—Is a licensed pilot from Gravesend to Dungeness and Orfordness, 8270–8272——Great reduction in the employment and income of pilots in the Thames if compulsory pilotage be abolished: reference hereon to the large reduction consequent upon the exemptions from time to time, 8273–8279. 8320–8365. 8437–8454——Objection to the permissive character of the compensation clauses of the Bill, and to the interval of two years, witness submitting that the present income of the pilots should be guaranteed to them for life, 8282–8290. 8300–8319.

Complaint as to the action of unlicensed men in piloting vessels in the Thames, this evil being likely to increase under a non-compulsory system, 8291–8294. 8407–8419—— Recent law in Norway requiring vessels above twenty tons to take pilots, 8295–8297—— Opinion that the pilot should be no more liable for damage than the shipmaster, 8298 ——Prejudicial effect upon the safety of life if the Bill be passed, 8299.

Evidence favourable to the pilots below Gravesend being licensed to pilot also between London and Gravesend, 8366–8406. 8455–8458. 8477–8483. 8495, 8496——Objection to the pilots being compulsorily stationed at Gravesend; statement hereon as to a large number coming to London in order to be selected for employment at Gravesend, 8394–8405. 8420–8436. 8462–8465—— Voluntary employment of pilots by some large vessels from Dungeness to the Isle of Wight: probable reduction of such employment under the Bill, 8437–8454.

Approval of a separate class of pilots inwards and outwards, 8466–8476——Frequent employment of tugs from beyond Dungeness up to London, 8484–8486——Limited employment of tugs in the North Channel, 8487——Constant employment of tugs between London and Gravesend, 8488——Somewhat similar class of pilots in the North Channel and the South Channel, the earnings being much the same, 8489–8494.

Report, 1870—*continued.*

Barges (Thames and Medway). Statement showing the grievances complained of by the owners of barges and small craft in the Thames, when injury is done by large vessels and steamers under compulsory charge of a pilot; great difficulty of recovery from the pilot, *Farrer* 59–65——Obstruction caused to the navigation by barges, *ib.* 63.

Further statement as to the sinking of barges in the Thames by ships in charge of pilots, and as to the grievance through the latter not being able to pay the damages, *Farrer* 439–448. 650–654——Question of liability further considered with reference to the risk of collision with barges in the Thames, *ib.* 809. 849–856——With regard to a certain deputation of barge owners to the Board of Trade, sailing barges, and not mere lighters, were represented on this occasion, *ib.* 1016–1019.

Consideration of the case of the owners of sailing barges plying from the Medway into the Thames, these barges being often run down by steamers with pilots on board, and having no adequate redress, *Sir F. Arrow* 1616–1628.

Objection to the owner rather than the pilot being responsible for damages done to barges in the Thames, *Taylor* 8059–8077. 8151–8156 ——The barges are frequently in fault, *ib.* 8151–8156——Considerable obstruction cruised by the sailing barges which come from the Medway into the Thames, *Luton* 12700–12711.

Memorial of owners of barges and other craft navigating the Thames and Medway, setting forth the grievances experienced under the system of immunity of shipowners from liability where pilots are compulsorily employed, *App.* 508, 509——Memorial to a similar effect from the owners of sailing barges in the Thames and Medway, *ib.* 510, 511.

Return of casualties suffered by owners of sailing barges, showing total damages to the extent of 6,004 *l.*, of which only 660 *l.* was recovered from the pilots, *App.* 512.

Letter from Mr. William Lee, dated 10th September 1868, with further reference to the grievances under which the owners of sailing barges labour, *App.* 513–515.

Beasley, Mr. Views of Mr. Beasley, of Liverpool, in 1860, in favour of compulsory pilotage, *Farrer* 81.

Beckett, Francis Charles. (Analysis of his Evidence.)—Is a first-class licensed pilot of Liverpool, 11564–11566——Was appointed at a public meeting of the pilots, held some weeks since, to attend the Committee in opposition to the Bill; was not, however, called upon at the time to give evidence, 11567–11576——Feeling of the pilots in favour of the pilotage being thrown entirely open, it being understood that they should be compensated, 11571, 11572. 11648——Concurrence of the pilots in the evidence given by Mr. Jones, 11577–11581.

Strong objection on the part of 164 pilots who are not boat-owners, to the system of boat-owning; evidence in support of such objection, 11582–11585. 11617–11621. 11638–11641. 11833–11836——Amendments contemplated in the system of stations, witness proposing amongst other alterations, that there be a station at Tuskar or some other point in the Channel, if the pilots wish to go there, 11586, 11587. 11606–11610. 11631–11637. 11672–11697. 11703. 11715–11718. 11762–11773. 11799–11826——Advantage to the better and more industrious class of pilots if pilotage were voluntary, 11588–11590. 11611, 11612. 11617–11621. 11746–11751. 11827–11836.

Evidence as to the unduly large number of pilots, witness, for instance, not being actually engaged in piloting more than forty days in the year; particulars hereon as to the time wasted on shore and in the boats, 11588. 11598–11605. 11737–11744. 11751–11761. 11774–11788——Partiality and favouritism in the employment of the pilots, some doing much more work than others, though the earnings of each boat are equally divided, 11591–11597. 11789–11798.

Change of opinion among the pilots since the Bill has been discussed, many of them now approving of voluntary pilotage, 11613–11616——Expediency of emulation amongst the pilots, and of more freedom in the way of extension of the stations, witness contending that under a voluntary system there would be ample employment if the number of pilots were properly limited, 11616–11637. 11660 *et seq.*——Conclusion that with voluntary pilotage there would be ample inducement to pilots to be sufficiently far out in bad weather, 11625, 11626. 11819–11826.

Circumstance of witness having, some two months since, expressed himself strongly in opposition to the Bill, 11642–11648——Difficulty recently between witness and the pilotage board about his not handing over some pilotage money; this had nothing to do with his change of opinion, 11649–11659.

Statement as to the pilot boats giving a preference to large vessels; similar tendency under an optional system, 11671–11694——Unduly large number of apprentices hitherto, 11704–11714——Contemplated continuance of the licensing of pilots, 11719, 11720——Approval of the Bill, more especially as forcing upon the authorities the charges advocated by witness as regards stations, &c., 11827–11836.

Report, 1870—*continued.*

Belfast:

Several objections to the abolition of compulsory pilotage at Belfast; probability of many vessels not taking pilots under an optional system, and of frequent disaster arising on account of the difficulties of the navigation of the river, *Macfaran* 9748-9784—— Belief that the Belfast Harbour Commissioners are in favour of compulsory pilotage, *ib.* 9785-9789.

Sundry grounds upon which witness as a shipowner of Belfast objects to voluntary pilotage in the river; reference more especially to the difficulties of the navigation, and to the efficiency of the present system, *Cochrane* 9790-9817. 9829-9834.

Petition of the Belfast pilots against the Bill, which they believe would reduce their income one-half, *Benson* 9837-9840——Trial of optional pilotage in 1855, the result being that the pilots greatly suffered in income, that the shipowners had great grounds of complaint, and that at the end of a year the compulsory system was re-established, *ib.* 9839. 9854-9868. 9902-9911. 9944-9950.

Intricate and difficult character of the navigation, the channel being very narrow and winding, and a block of the river being likely to cause much disaster, *Benson* 9848-9853. 9877-9884. 9893. 9925-9931——Satisfaction of the shipowners with the present service, *ib.* 9869, 9870——Decided inadequacy of the compensation clauses of the Bill as regards the Belfast pilots, *ib.* 9872-9876. 9923, 9924.

Particulars as to the services of the pilots, twenty-three in number, when large fleets are in want of pilots; doubt as to the number being insufficient, *Benson* 9885-9898—— Instances of vessels getting on shore in the river when not in charge of pilots, *ib.* 9899-9901. 9919-9922——Statement of the pilotage rates; claim of each pilot to his own earnings, *ib.* 9912-9918——Probability of a falling off in the employment of pilots by inward-bound vessels, *ib.* 9932-9952——Average of about 100 *l.* a year as the earnings of each pilot, *ib.* 9953.

Evidence as to the safety of the approach to Belfast, so that pilotage should be optional there, *Reynolds* 11042-11052. 11054-11056.

Conflicting evidence as to the character of the pilotage of the loug hand river at Belfast, and as to the expediency of the compulsory system, *Rep.* xxvi.

Belgium. Provision in the Belgium law that the owner is not protected from liability by having a pilot on board, *Squarey* 2391——Compulsory payment of pilotage in Belgium, the owner being at the same time not free from liability, *Lamport* 3667.

Benson, Patrick. (Analysis of his Evidence.)—Is a pilot of Belfast, 9835, 9836——Petition of the Belfast pilots against the Bill, 9837-9840——Trial of optional pilotage in 1855, the result being that it completely failed, and that at the end of a year the compulsory system was re-established, 9839. 9854-9868. 9902-9911. 9944-9950.

Expected extension of employment of hobblers as pilots if the pilotage be optional, 9841-9847—— Intricate and difficult character of the navigation, a block of the river being likely to cause much disaster, 9848-9853. 9877-9884. 9893. 9925-9931——Satisfaction of the shipowners with the present service, 9869, 9870——Decided inadequacy of the compensation clauses of the Bill, 9872-9876. 9923, 9924.

Particulars as to the services of the pilots when large fleets are in want of pilots; doubt as to the number being insufficient, 9885-9898——Instances of vessels getting on shore when not in charge of pilots, 9899-9901. 9919-9922——Statement of the pilotage rates; claim of each pilot to his own earnings, 9912-9918——Probability of a falling off in the employment of pilots by inward-bound vessels, 9932-9935——Moderate earnings of each pilot, 9953.

"*Billow.*" *The.* Particulars relative to the hardship in the enforcement of compulsory pilotage in the case of this vessel, *Farrer* 34-38.

Bills of Lading. Statement as to owners protecting themselves against liability by a clause in the bill of lading where pilotage is voluntary, *Moss* 4038-4050.

Board of Trade. Absence of interference on the part of the Board of Trade, in order to enforce the obligation to take a pilot, *Farrer* 256——Statement as to complaints not coming before the Board of Trade relative to the incapacity or misconduct of pilots, *ib.* 769-771——Question as to the views of the present nautical adviser of the Board with reference to the principle of the Bill, *ib.* 964-970.

Circumstance of the Board of Trade having refused power to the Trinity House to prevent their pilots holding shares in steamers, *Sir F. Arrow* 1949.

Large powers of the Board of Trade for the removal of anomalies in the pilotage systems of the different ports, *Lamport* 3612-3618——Comment upon the action of the Board in heaping obligations upon shipowners, the removal of the obligation to take pilots being comparatively a small matter, *ib.* 3628-3634. 3675.

Report, 1870—*continued.*

Boats. Statement as to the Bristol pilots having larger boats than the Gloucester pilots, and cruising much farther out; question hereon as to their being stimulated by competition as a result of non-compulsion, *Clegram* 1080–1082. 1135–1139. 1199–1202. 1211–1214. 1256–1260. 1271–1276. 1314–1319——Character of the Gloucester pilot boats further adverted to, with reference to the distance to which they cruise to the west, *ib.* 1199–1202. 1215–1220. 1235–1237. 1261–1264——Efficiency of the Bristol pilots' boats, forty-four in number; long distance to which they sometimes go, *Drew* 6440–6452. 6668, 6669.

Doubt as to the pilot boats under a voluntary system being inefficient, *Sir F. Arrow* 1657–1659. 1816–1822——Obstacle to steam pilot boats on account of the expense, *ib.* 1660——Expectation that under voluntary pilotage in the Mersey perfectly efficient pilot boats will be found, *ib.* 1816–1822.

Belief that a voluntary system at Liverpool would not secure the same efficient boats as the compulsory system, *Hills* 2769–2776. 2785, 2786——Less probability of steam pilot boats being introduced under voluntary pilotage, *ib.* 2774–2776.

Suggestion that steam pilot boats might be used at Liverpool; probability of these, or of boats otherwise efficient, being provided if pilotage were voluntary, *Inman* 10292. 10314–10319. 10336–10342. 10398——Inferior pilot boats at Cork as compared with the Liverpool boats, *ib.* 10398–10400.

See also *Liverpool*, I. 12.

Boilers, Inspection of. Exception taken to the Government inspection of boilers, with reference to the questions of liability and of safety, *Farrer* 873–875.

Bouch, John Thomas. (Analysis of his Evidence.)—Is partner in the firm of H. Marshall & Co., of Liverpool, managing owners of the Old Black Ball line of packets to New York, 10877–10880——Grievance under compulsory pilotage, on account of the necessity of taking the first pilot that offers, whether he is a capable man or not, 10881–10885. 10992–10996——Belief that with voluntary pilotage a better class of men would be available, and would go further down the Channel, where the chief danger arises, and where they would be frequently employed, 10884–10892. 10903. 10947–10952. 10976–10981.

Conclusion that on the whole there would be as much or more employment of pilots under a voluntary system, 10890–10893. 10899–10902. 10921, 10922. 10974, 10975——Inducement to pilots to be out in bad weather if all their earnings went to themselves, instead of a portion going to the boat-owners as at present, 10893–10895. 10904, 10905. 10937–10941. 10962, 10963——Non-complaint as to the amount of the pilotage rates, 10896, 10897. 10958–10962.

Tendency of compulsory pilotage and the immunity of the owner to make the captain careless, 10906–10909——Approval of the owner being liable if he may select his pilot, but not otherwise, 10910–10913——Opinion that the Mersey up to Liverpool is not at all a difficult navigation, the difficulty being in the channel up to the Mersey, 10914–10918. 10949–10957——Conclusion that Liverpool should not be excepted from the Bill, 10918–10920.

Similarity between the New York system of pilotage and that of Liverpool, 10923–10928——Circumstance of the Bill not proposing to interfere with the power of the Mersey Board, or to provide cruising stations; duty of the pilot to be at his station, though it should be optional in the shipowner as to employing him, 10929–10936. 10973–10975.

Frequent complaints made by witness as to the pilots, some of whom are very inefficient; explanation as to his having postponed formal complaint in a recent case of collision, 10964–10972. 10992–11005——Inadequate redress received when complaints have been made, 10967–10970. 10992–10998——Necessity of a pilot when a steam tug is used, 10982–10991.

Boulogne. Exemption from compulsory pilotage in the Thames in the case of ships trading to Boulogne, or to any port in Europe north of Boulogne, *Rep.* viii, ix.

Bremner, Henry. (Analysis of his Evidence.)—Is solicitor to the pilots of Liverpool, 4620, 4621——Statement as regards the several Bills or Acts respecting pilotage in Liverpool, that the present Bill is the first which has ever been introduced for the purpose of abolishing compulsory pilotage, 4622–4630——Confirmation of the principle of compulsory pilotage by "The Merchant Shipping Act" of 1854; 4628. 4632——Increased facilities for exemption given under "The Amendment Act" of 1862, though such facilities have not been put in operation, 4628–4630. 4632.

Decided dissent from the view of Mr. Farrer, that it is no part of the business of the Government to take a ship out of the hands of those most interested in her safety, 4631——Opinion that the Mersey Docks and Harbour Board are the proper authority to deal with the pilotage of the port, 4632, 4633.

Objection

Report, 1870—*continued.*

Bremner, Henry. (Analysis of his Evidence)—*continued.*

Objection of the pilots to the Bill as not containing any provision for the compensation of the owners of the boats, 4634——Objection also to the proposed compensation of the pilots, as being utterly inadequate, 4634, 4635——Evidence in support of the conclusion as to the inadequacy of the compensation or superannuation clause, and in explanation of the claims of the pilots to an improved and more liberal scheme of compensation, 4635-4645. 4690-4711——Suggestion that the pilotage authority might be empowered to charge different rates in summer and winter, 4646-4648.

Particulars relative to the amount paid by the pilots for their boats, and the enhanced value now represented by the shares; 4649-4659——Total of 55,960 *l.* paid for boats at different times since 1824, the twelve boats now in use having cost 28,960 *l.*; 4652, 4653——Cause of the competition for boat shares; great incentive of the system to industry and frugality, 4660, 4661. 4664-4666——Error of Mr. Farrer in stating that some of the boat-owners were not pilots, 4661-4663——Explanation of the arrangements proposed for the compensation of the boat-owners; alternative plans suggested, 4667-4674. 4712-4753.

Evidence in support of the claims of the apprentices to compensation; prejudicial effect hereon of a certain provision in the second clause of the Bill, 4675-4683——Circumstance of the Liverpool pilots being liable to the full extent of their means, many of them being possessed of property, 4684-4686——Frequent actions against the pilots, the justices having summary jurisdiction up to 50 *l.*; 4687-4689.

Dissent from the view that the difference between the cost of the boats and the present value of the shares is a fictitious value, witness contending that the compensation should in justice be based upon the full share value, 4719-4753. 4774——Statement as to the obligation to carry pilots having never been forced upon coasting passenger steamers, witness disapproving of this exemption, though there are but few accidents to these vessels, 4754-4773.

Brewis, William Henry. (Analysis of his Evidence.)—Long experience of witness as a pilot of Hull, 5883-5885——Concurrence in the evidence of Mr. Bannister and Mr. Dale Brown, 5886, 5887——Very great danger in entering the Humber in certain winds, whilst the numerous and shifting sand banks render the navigation very difficult, 5888-5908. 6006-6008. 6019, 6020.

Evidence to the effect that a certain letter to the Board of Trade, signed by forty of the Hull pilots, in favour of the Bill, and of free pilotage, was so signed under misapprehension, and that nearly all these pilots have since recorded their objection to the alterations proposed by the Bill, 5909-5916. 5941-5981. 6009-6018. 6053-6066. 6080-6083.

Belief that under voluntary pilotage many vessels would try to do without pilots, and that on account of the uncertainty of remuneration the supply of efficient pilots would greatly fall off, 5917-5926. 5989-6005. 6022-6052. 6067-6077——Very moderate earnings of the pilots and master pilots, 5927-5932. 6021——Very satisfactory and economical working of the present system and regulations, 5933-5940. 5947-5956——Ample supply of steam-tugs in the Humber; doubt whether there would be an equally ample supply of pilots under an equally voluntary system, 5984-6005.

BRISTOL AND BRISTOL CHANNEL:

I. *Bristol:*
1. As to the present Pilotage Arrangements and their Operation.
2. Question of Voluntary Pilotage in the Avon.
3. Question of Voluntary Pilotage from Lundy to Kingroad.

II. *Cardiff, Newport, and Gloucester:*
1. As to the Establishment of Voluntary Pilotage and its Effect.
2. Evidence relative especially to the case of Gloucester.
3. Supply and Earnings of Pilots with reference to the Increase of Trade.

III. *Suggested Establishment of Compulsory Pilotage throughout the Bristol Channel.*

IV. *Conclusions and Recommendations of the Committee.*

I. *Bristol:*

1. As to the present Pilotage Arrangements and their Operation:

Statement as to the Bristol pilots having no claim in respect of pilotage west of Lundy Island, *Clegram* 1136-1139. 1309, 1310——Doubt as to there being any distinction as to liability in the case of vessels in the Bristol Channel under compulsory pilots and non-compulsory pilots respectively, *ib.* 1295-1298——Penalty upon unlicensed pilots in the Bristol Channel, *ib.* 1332.

Report, 1870—*continued.*

Bristol and Bristol Channel—continued.

I. *Bristol*—1. As to the present Pilotage Arrangements and their Operation—*continued.*

Constitution of the pilotage authority of Bristol under an Act of 47 Geo. 3, and under the Bristol Dock Act of 1848, the jurisdiction extending from Bristol to Lundy, *Drew* 6403–6411——Exemption of vessels under eighty tons from compulsory pilotage, unless a pilot tenders his services, when half rates are paid, *ib.* 6412–6416. 6676–6690. 6838–6840——Practice of coasting steamers to have certificated masters in lieu of pilots, certificates being given without limit, *ib.* 6417–6422. 6804–6809. 6837–6840.

Reduction in the number of Bristol pilots, there being now only sixty, owing to there being separate pilots for Cardiff, Newport, and Gloucester; further diminution intended on account of the falling off in the earnings, *Drew* 6423–6426. 6599–6610——Practice as to the pilotage of vessels from Bristol to Newport, Cardiff, and Gloucester, and as to the liability of pilots to be superseded; tendency of the system to confine the licensing of pilots to one port only, *ib.* 6454–6468. 6736–6745——Increased earnings of the Bristol pilots in 1869 owing to the increased trade, *ib.* 6519–6522.

Satisfaction given in Bristol by the present system, *Drew* 6526, 6527——Power of the pilotage authority to stop the licensing of apprentices if not required for the service, *ib.* 6660–6665——Very moderate earnings of the Bristol pilots, *ib.* 6666, 6667——Doubt as to the pilotage rates between Kingroad and Bristol being excessive, *ib.* 6760–6768——Undue value placed upon their boats by the pilots, *ib.* 6835, 6836.

Comparative rates charged by the Bristol pilots and by the pilots of Cardiff, &c.; much higher rates in the former case, *H. E. Evans* 12334. 12337 12378——Statement as to the captain of one of the steamers of witness's company not having taken out a pilotage certificate for Bristol, but only for Swansea and Milford, *ib.* 12343. 12349–12351. 12367–12376.

2. Question of Voluntary Pilotage in the Avon:

Exceedingly intricate and difficult navigation of the Avon from Kingroad to Bristol, very strict supervision and discipline being essential in order to prevent obstruction, and voluntary pilotage being most objectionable, *Drew* 6427–6439. 6470–6482. 6492–6500. 6631–6659. 6751–6759. 6791–6803. 6850–6867——Views of the corporation of Bristol in favour of a compulsory system, and of entire control as regards the river itself, *ib.* 6501–6507. 6584, 6585——Sufficiency of about 120 pilots for the river, *ib.* 6514–6518.

More exceptional character of the Avon than of the Severn above Chepstow, *Drew* 6653-6659. 6843-6849——Unanimity at Bristol as regards the importance of compulsory regulations in the river, *ib.* 6791–6793. 6854, 6855——Less safety of vessels in the Avon if navigated by their captains instead of by pilots, *ib.* 6822-6824, 6864-6867——Further objection to voluntary pilotage in the Avon, though the great majority of vessels might continue to take pilots between Kingroad and Bristol, *ib.* 6850–6881.

Approval of non-compulsory system at Bristol; undue pressure of rates under the compulsory system, *H. E. Evans* 12335–12337——Necessity of foreign vessels taking pilots from the mouth of the Avon up to Bristol, this however being a proper matter to be dealt with by harbour regulations, and witness strongly objecting to the steamers of his company being compelled to take a pilot, *ib.* 12340–12348. 12352–12366. 12379–12383. 12411–12419——Belief that optional pilotage in the Avon would not lead to any increase of accidents likely to obstruct the navigation, *ib.* 12362–12366. 12379–12383.

3. Question of Voluntary Pilotage from Lundy to Kingroad:

Conclusion as to voluntary pilotage being equally effectual for Bristol as for Gloucester or Cardiff, *Farrer* 187——Inexpediency of vessels bound to Bristol being compelled any more than Gloucester vessels to take pilots so far west as Lundy Island, if they do not require them, *Clegram* 1337–1343. 1359–1361——Improved lighting of the Bristol Channel cited as facilitating the adoption of voluntary pilotage, *Sir F. Arrow* 1748–1752.

Improbability of the pilots going westward of Lundy under an optional system, *Drew* 6453. 6589–6598——Objection to the compulsory system being abolished from Lundy inwards; improbability in such case of an efficient supply of pilots being kept up for the lower part of the Channel, *ib.* 6469. 6508–6513. 6589–6598. 6611–6630. 6783–6786——Respects in which danger is likely to arise between Lundy and Kingroad if the pilotage were voluntary, *ib.* 6483–6491. 6812–6821——Circumstance of the Corporation being favourable to voluntary pilotage between Lundy and the Holmes; witness does not concur in this view, *ib.* 6532–6536. 6580–6588. 6691–6717. 6748–6750. 6772–6786.

Examination as to witness having been opposed to voluntary pilotage in the case of Gloucester, Cardiff, and Newport, and as to pilots being largely employed voluntarily; doubt, however, whether the same results would follow as regards vessels for Bristol, *Drew* 6535–6579. 6611 *et seq.*

Exemption

Report, 1870—*continued.*

Bristol and Bristol Channel—continued.

II. *Cardiff, Newport, and Gloucester:*

1. As to the Establishment of Voluntary Pilotage and its Effect:

Exemption of Gloucester, Newport, and Cardiff from compulsory regulations by Act in 1861, *Farrer* 11. 98——Great difficulty as to pilotage in the Bristol Channel, which was ended by Newport, Cardiff, and Gloucester obtaining a Bill doing away with compulsory pilotage, *ib.* 108——Further statement relative to the abolition of compulsory pilotage, as regards Gloucester, Cardiff, and Newport, whilst it continues in force as regards Bristol; satisfaction of shipowners and pilots of the former places under the voluntary system, *ib.* 175-186——Careful inquiry by a Committee of the House of Commons, before Gloucester, Cardiff, and Newport were freed from the compulsory system, *ib.* 176-212.

Efficiency of voluntary pilotage in the Severn further adverted to; increased earnings of the Cardiff, Newport, and Gloucester pilots, whilst the Bristol pilots heve suffered, *Farrer* 326. 332-334. 336-338. 486-488. 567-576. 662-666——Less satisfactory state of things in the Severn if the increased employment of pilots had taken place under a compulsory system, *ib.* 662-666——Effect of the voluntary system, as regards the employment of pilots in the Bristol Channel, further adverted to; satisfactory working of the system, *ib.* 865-872.

Summary of the former regulations as to the pilotage, and of the evils complained of by Newport, Cardiff, and Gloucester, through being subject to the jurisdiction of the Bristol authorities, *Clegram* 1033-1044——Inquiry on the part of the Board of Trade, followed up by a Bill introduced by Cardiff, Newport, and Gloucester, in 1861, which became law, and exempted those places from the jurisdiction of Bristol, and from compulsory pilotage, *ib.* 1045-1052.

Belief that there is the same satisfaction at Cardiff and Newport, as at Gloucester, *Clegram* 1079——Statement as to the pilotage authorities of Gloucester, Cardiff, and Newport not being responsible for the buoyage, *ib.* 1223-1228——Object of the Bill of 1861 not only to get rid of the monoply, but to establish the non-compulsory principle, *ib.* 1320-1323.

Absence of analogy between the circumstances of the Bristol Channel and of the Mersey, *Hills* 2691-2705——Respects in which a voluntary system may be more suited to the Bristol Channel and to Gloucester than to the Clyde, *Henderson* 5008-5022. 5152-5160. 5197-5206.

Statement as to compulsory pilotage having been applied for by the Bill of 1861 relative to Cardiff, &c., and as to the Bill having been altered by the Committee of the House, *Drew* 6695-6701. 6787-6790——Objection formerly by Cardiff, Swansea, and other ports to their vessels being liable to be boarded by the Pill or Bristol pilots, *Ford* 7250-7252.

Very satisfactory working of free pilotage at Cardiff, &c., there being no lack of pilots, who get good employment, *H. E. Evans* 12334. 12403-12409——Practice of Cardiff vessels to employ pilots whenever there is any occasion, the voluntary system not having led to risk or accidents, *ib.* 12338. 12403-12410.

2. Evidence relative especially to the case of Gloucester:

Particulars relative to the navigation up to Gloucester from Lundy Island, there being four pilotage stages and rates; very difficult character of the navigation between Kingroad and the entrance to the canal, *Clegram* 1053-1057. 1122-1129. 1159-1164. 1203-1205. 1215-1217. 1261. 1268-1270. 1333-1338. 1363-1365——Separate pilotage authority for Gloucester; how constituted, *ib.* 1058. 1096-1105. 1351. 1354-1358——Authority of the Gloucester pilots to pilot to the limit of the Bristol Channel, that is, Lundy Island, *ib.* 1059——Large reduction in the rates after the passing of the Act of 1861, *ib.* 1060, 1061. 1083, 1084——Difficulty of the navigation in the upper part of the Channel, *ib.* 1062, 1063.

Statement that there are now twenty-one licensed pilots of Gloucester, and eight apprentices, there being eighteen pilot boats; conclusion as to the sufficiency of this staff, which is regulated by the pilotage board, *Clegram* 1064-1078. 1106-1111. 1115-1119. 1130-1132. 1167-1170. 1249-1253. 1253-1285. 1290, 1291. 1352, 1353. 1366——Decided opinion that the introduction of voluntary pilotage at Gloucester has been most successful; grounds for this conclusion, *ib.* 1068 *et seq.*——Information as to the average earnings of the Gloucester pilots; probable inaccuracy of a certain return on this subject, 1069-1071. 1112-1115. 1171-1195. 1254, 1255.

Necessity of pilotage berween Kingroad and the entrance to the canal, even though it is not legally compulsory, *Clegram* 1085-1087. 1122-1129. 1333-1336——Large increase of the trade of Gloucester and of the Bristol Channel generally, *ib.* 1108-1111. 1233, 1234. 1245-1248——Regulations of the Gloucester Pilotage Board for securing the attendance of pilots in the different parts of the district; belief as to the accuracy of the

Report, 1870—*continued.*

Bristol and Bristol Channel—continued.

II. *Cardiff, Newport, and Gloucester*—2. Evidence relative especially, &c.—*continued.*

return required to be furnished by the pilots on this point, *Clegram* 1133–1135. 1165, 1166. 1199–1202. 1229–1232. 1238–1244. 1265–1267. 1344–1346——Particulars as to the option in the master of a Gloucester vessel to change a Bristol pilot for a Gloucester pilot after the vessel has come east of Lundy Island; absence of abuse or hardship on this score, *ib.* 1140–1158. 1302–1313——Circumstance of there being no masters or mates licensed at Gloucester, *ib.* 1196–1198.

Instance of a vessel of witness having had to wait for a pilot at Kingroad when going to Gloucester, *Ford* 7233–7239.

3. Supply and Earnings of Pilots with reference to the Increase of Trade:

Decrease in the trade of Bristol and increase in the trade of Cardiff adverted to as sufficient to account for the decrease of pilots in the former case and the increase in the latter, *Farrer* 725–729——Large and increasing trade of the Bristol Channel adverted to in connection with the pilots' earnings under the voluntary system, *Sir F. Arrow* 1740, 1741.

Small increase in the pilotage earnings of Cardiff and Newport as compared with the great increase of trade, *Drew* 6523–6525——More numerous supply of pilots in the Bristol Channel since the pilotage of certain ports has been voluntary; increased supply owing probably to the increase of trade, *Chaddock* 11432–11436. 11521–11531. 11538–11541——Large increase of pilots at Cardiff, Gloucester, and Newport since the pilotage has been optional, whilst the pilots at Bristol under the compulsory system have decreased, *G. H. Evans* 12324–12332. 12384–12394.

Aggregate return of the tonnage of sailing and steam vessels that entered and cleared at each port during the year 1860 and 1868; great increase, especially at Cardiff, *App.* 565.

III. *Suggested Establishment of Compulsory Pilotage throughout the Bristol Channel:*

Opinion in favour of compulsory pilotage throughout the whole of the Bristol Channel, all the different jurisdictions being combined; facility in such case of maintaining a station at Lundy, and of reducing the rates, *Rosser* 7034–7037. 7063–7087. 7153, 7154.

IV. *Conclusions and Recommendations of the Committee:*

Summary of the former regulations as to the pilotage of the Bristol Channel, and of the local ports respectively, *Rep.* xxiii——Re-arrangement under the Bristol Channel Pilotage Act of 1861, Gloucester, Newport, and Cardiff having since been exempt from the compulsory regulations previously in force, *ib.* xxiii, xxiv.

Sums paid to the pilots of Bristol and other ports respectively, in 1860 and in 1868; important diminution in the case of Bristol, whilst the number and earnings of pilots of Cardiff, Gloucester, Newport, &c., have largely increased, *Rep.* xxiv, xxv.

Very satisfactory working of the system introduced in 1861 as regards Cardiff, Newport, and Gloucester, *Rep.* xxv——Feeling at Bristol and at Swansea in favour of an extension of the voluntary system, *ib.* xxv, xxvi——Conclusion that all masters who do not know the river, will of their own accord always take pilots, *ib.* xxvi.

Insertion by the Committee of a clause in the Bill empowering the harbour authorities of Bristol to make bye-laws for the regulation of the Avon as far as Kingroad, *Rep.* xxvi.

See also *Boats. Swansea.*

Brown, Dale. (Analysis of his Evidence.)—Was commodore of pilots at Hull from 1844 to 1861; is now superintendent of the Dock Company, 5794–5797——Concurs generally in the evidence of Mr. Bannister, 5798–5800——Statement as to the exceedingly dangerous character of the navigation of the Humber, on account of the shifting sand-banks and other causes, 5801–5812. 5842–5848. 5864–5867. 5878–5882——Great facility in the granting of pilotage certificates to masters and mates of local vessels, 5813–5816——Careful check upon the cruising of the pilots, 5817, 5818——Severe punishment of pilots when complaints are established, 5817–5822.

Very moderate earnings of the pilot boats and pilots, 5823–5829——Belief that under the Bill there would be no longer the same inducement to efficient men to remain in the service, as there would not be the same regular employment, whilst a reduction of numbers would be prejudicial, 5830–5841. 5849 *et seq.*——Expectation that in dangerous weather pilots would not be found when most wanted, if the pilotage were voluntary, 5863–5867. 5876–5882.

Report, 1870—*continued.*

Buoyage and Lighting. Less danger in pilotage waters through the improved buoyage, &c., *Farrer* 820, 821——Less necessity for compulsory pilotage since the great improvements effected in buoyage and lighting, *Sir F. Arrow* 1601. 1848.

Burns, Messrs. Circumstance of Messrs. Burns of Glasgow being now opposed to compulsory pilotage, *Farrer* 210.

C.

Calcutta. Objectionable practices formerly of the pilots at Calcutta, *Judkins* 2209–2213——Difficulty of the navigation of the Hooghly adverted to; importance of the employment of experienced pilots, *Castle* 7735. 7737–7740——Unrestricted number of pilots at Calcutta, an examination being required, *Duncan* 9715–9717.

Canada. Decision in Canada that the shipowner is not free from liability, though his ship is in charge of a pilot, *Farrer* 84.

Cardiff. See *Bristol and Bristol Channel,* II.

Castle, Frederick Augustus. (Analysis of his Evidence).—Has had considerable experience in the command of large ships out of London, 7696, 7697——Great confidence placed by witness in the Trinity House pilots; especial value of their previous nautical experience as masters or mates, 7698–7706——Good prospects given up in order to become pilots, 7707, 7708——Great danger of increased loss of life and property between Dungenness and London if compulsory pilotage were abolished, 7709–7714——Increased necessity for a pilot when a tug is used; illustration of this, 7712–7714——Reference to the liability respectively of the pilot and of the underwriters in cases of collision or loss, 7715–7718.

Obstacle to a selection of pilots by foreign ships inwards, the system of examination and license being most useful in such cases, 7719–7722——Degree of control and command exercised by the pilot, though he does not supersede the captain, 7723–7730——Unwillingness and unfitness of witness to navigate his ship through the Thames, without an efficient pilot on board, 7731–7736——Difficulty of the navigation of the Hooghly adverted to; importance of the employment of experienced pilots, 7735. 7737–7740.

Chaddock, Robert. (Analysis of his Evidence.)—Is a master mariner, and is well conversant with the navigation of the ports of Liverpool, London, Bristol, &c., 11400–11407.——11499–11506——Complaint as to the compulsion to take a pilot outwards from Liverpool, it being desirable to have the option of taking a pilot inwards, 11408, 11409. 11466–11471——Grievance in witness being required, on account of the tonnage of his vessel, to take an apprentice pilot at Liverpool instead of a thoroughly competent pilot, 11410–11417. 11480–11492. 11546, 11547.

Opinion that compulsory pilotage should be abolished at Liverpool, and that this change would produce a more efficient class of pilots, who would go further to sea, 11418–11425. 11430, 11431. 11449. 11532–11537——Feeling among the Liverpool pilots in favour of voluntary pilotage, 11426, 11427——Discontent of some pilots as to the boat-owning system, 11428, 11429.

More numerous supply of pilots in the Bristol Channel since the pilotage of certain ports has been voluntary; increased supply owing probably to the increase of trade, 11432–11436. 11521–11531. 11538–11541——Facility in obtaining pilots off Queenstown under the voluntary system, 11437–11447——Frequent want of pilots outside Waterford in bad weather, though the pilotage is compulsory, 11442–11444.

More dangerous navigation of the Mersey than of the Thames, on account of the prevailing winds being from the westward, 11445–11447——Inconvenience of the pilot stations at Liverpool for sailing ships, 11448——Statement in support of the conclusion that it should be optional in witness to take a pilot in the Thames, 11450–11465——Unsatisfactory working of the non-liability of the owner when there is a pilot on board, 11473–11479.

Degree of difficulty in getting into Swansea, witness, however, seeing no necessity for compulsory pilotage, 11507–11520——Suggestion that in levying the pilotage charge at Liverpool, tonnage as well as draught might be the basis of the charge 11544–11546. 11557–11563——Absence of necessity for a pilot when a vessel is being towed out of Liverpool, most vessels using a tug both in and out of the Mersey, 11548–11553.

Chambers of Commerce. Petition received from the United Associated Chambers of Commerce in favour of abolition of compulsion, *Farrer* 225–227.

Channel Islands. Exemption from compulsory pilotage in the case of ships of Guernsey, Jersey, &c., which are wholly laden with stone, the produce of those islands, *Rep.* viii.

Charleston. Illustration at Charleston of the improvement consequent upon the adoption of voluntary pilotage, *Duncan* 9573–9575. 9746.

Report, 1870—*continued.*

"*Chase*," *The.* Particulars relative to the hardship in the enforcement of compulsory pilotage in the case of this vessel, *Farrer* 30-32.

Cinque Ports Pilots. Efficiency of the Cinque Ports pilots, there being very few complaints against them, *Sir F. Arrow* 1776-1780——Evidence in support of the conclusion that the compensation clauses of the Bill are altogether inadequate; contributions and earnings of the Cinque Ports pilots adverted to hereon, *Millen* 7307-7310. 7345-7357. 7416-7451. 7492-7498; *Mallett* 7544-7570——The gross pension of Cinque Ports pilots is 50*l.* a year, out of which there is a deduction of 6*l.* a year for a widows' fund, *Millen* 7416-7427. 7492-7494——Larger pension of the Cinque Ports pilots than the Trinity pilots, *ib.* 7448-7451.

Qualifications and nautical practice required in Cinque Ports pilots; prospect given up in order to enter the service, *Mallett* 7508-7511. 7520, 7521. 7692-7695——Calculation that the Cinque Ports pilots would lose one-third of their income if their compulsory employment were abolished, *ib.* 7529-7531. 7603-7638.

Regular apprenticeship served by witness as a Cinque Ports pilot, *Ralph* 7841-7844——Several alterations for the worse effected in the position of the Cinque Ports pilots on their coming under the Trinity House, *ib.* 7845-7855——Large contributions made by witness to the Trinity Superannuation Fund, as compared with his claims upon the fund, *ib.* 7855-7879——There are altogether seventy of the old class of Cinque Ports pilots at Deal and Dover, *ib.* 7870-7872——Varying age at which the Cinque Port pilots are superannuated, there being some on duty over seventy years of age, *ib.* 7880-7883. 7902-7909.

Paper prepared by Mr. Hardy, in March 1854, together with calculations relative to the Cinque Ports Pilots' Fund, and explanations on the subject of the surrender of the cutters and pilot boats, *App.* 568, 569——Return of the sums received and paid by the Trinity House on account of the Pilots' Fund, *ib.* 570, 571.

Total of fifty-nine old Cinque Port pilots now remaining, whose employment is practically confined to the inward pilotage, *Rep.* ix.——*See* also *Thames, The.*

City of Dublin Steam Packet Company. Dissatisfaction on the part of the City of Dublin Steam Packet Company in regard to pilotage certificates not being granted by the Liverpool authorities, *Farrer* 148-150.

Establishment of the company in 1823, it now having twenty steamers running from Dublin to Liverpool, Holyhead, &c., *Watson* 10680-10683——Grievance felt by the company for some years after its formation in having to pay compulsory pilotage rates at Dublin and Liverpool, *ib.* 10684-10687——Arrangement made with the Dublin Ballast Board, by which, on paying 150*l.* a year for ten years towards a superannuation fund, the company was relieved from pilotage charges in the port, *ib.* 10688-10964.

Very great difficulty experienced by the company in getting its captains examined for pilotage certificates by the Liverpool authorities; details as to the grounds for this complaint, *Watson* 10695. 10752-10765——Arrangement by which the company has paid a reduced rate at Liverpool in consideration of their never employing the pilots of their port, their own captains acting as pilots; complaint as to this payment, which amounts to 400*l.* a year, no services being rendered in return, *ib.* 10696-10711. 10766-10772. 10828-10831——Perfect immunity of the company's vessels from accident in the Mersey, though not taking licensed pilots, *ib.* 10709, 10710. 10746. 10839.

Invariable employment of certificated captains on the vessels of witness's company going with passengers into Liverpool, *Watson* 10770-10772——Statement as to the captains receiving certificates from the Board of Trade on certain conditions without examination, *ib.* 10773-10781. 10840-10845.

Clegram, William Brown. (Analysis of his Evidence.)—Is superintendent and engineer of the Gloucester and Berkeley Canal; has for many years taken an interest in the question of the pilotage of the Bristol Channel, 1031, 1032——Summary of the former regulations as to the pilotage, and of the evils complained of by Newport, Cardiff, and Gloucester, through being subject to the jurisdiction of the Bristol authorities, 1033-1044——Inquiry on the part of the Board of Trade, followed up by a Bill introduced by Cardiff, Newport, and Gloucester, in 1861, which became law, and exempted those places from the jurisdiction of Bristol, and from compulsory pilotage, 1045-1052.

Particulars relative to the navigation up to Gloucester from Lundy Island, there being four pilotage stages and rates; very difficult character of the navigation between King Road and the entrance to the canal, 1053-1057. 1122-1129. 1159-1164. 1203-1205. 1215-1217. 1261. 1268-1270. 1333-1338. 1363-1365——Separate pilotage authority for Gloucester; how constituted, 1058. 1096-1105. 1351. 1354-1358——Authority of the Gloucester pilots to pilot to the limit of the Bristol Channel; that is, Lundy Island, 1059——Large reduction in the rates after the passing of the Act of 1861; 1060, 1061. 1083, 1084——Difficulty of the navigation in the upper part of the Channel, 1062, 1063.

Statement

Report, 1870—*continued.*

Clegram, William Brown. (Analysis of his Evidence)—*continued.*

Statement that there are now twenty-one licensed pilots at Gloucester, and eight apprentices, there being eighteen pilot boats; conclusion as to the sufficiency of this number, which is regulated by the Pilotage Board, 1064–1078. 1106–1111. 1115–119. 1130–1132. 1167–1170. 1249–1253. 1278–1285. 1290, 1291. 1352, 1353. 1366 —— Decided opinion that the introduction of voluntary pilotage at Gloucester has been most successful; grounds for this conclusion, 1086 *et seq.*

Information as to the average earnings of the Gloucester pilots; probable inaccuracy of a certain Return on this subject, 1069–1071. 1112–1115. 1171–1195. 1254, 1255 —— Belief that there is the same satisfaction at Cardiff and Newport as at Gloucester, 1079 —— Statement as to the Bristol pilots having larger boats than the Gloucester pilots, and cruising much farther out; question hereon as to their being stimulated by competition as a result of non-compulsion, 1080–1082. 1135–1139. 1199–1202. 1211–1214. 1256–1260. 1271–1276. 1314–1319.

Necessity of pilotage between King Road and the entrance to the canal, even though it is not legally compulsory, 1085–1087. 1122–1129. 1333–1336 —— Opinion, based upon witness's experience of the Bristol Channel, that it would be a great advantage if compulsory pilotage were abolished generally, 1088–1095. 1206–1210. 1299–1301 —— Regulations of the Gloucester Pilotage Board for securing the attendance of pilots in the different parts of the district; belief as to the accuracy of the Return required to be furnished by the pilots on this point, 1133–1135. 1165, 1166. 1199–1202. 1229–1232. 1238–1244. 1265–1267. 1344–1346.

Statement as to the Bristol pilots having no claim in respect of pilotage west of Lundy Island, 1136–1139. 1309, 1310 —— Particulars relative to the option in the master of a Gloucester vessel to change a Bristol pilot for a Gloucester pilot after the vessel has come east of Lundy Island; absence of abuse or hardship on this score, 1140–1158. 1302–1313 —— Circumstance of there being no masters or mates licensed at Gloucester, 1196–1198.

Character of the Gloucester pilot boats further adverted to with reference to the distance to which they cruise to the west, 1199–1202. 1215–1220. 1235–1237. 1261–1264 —— Statement as to the pilotage authorities of Gloucester, Cardiff, and Newport not being responsible for the buoyage, 1223–1228 —— Approval of restriction by the local pilotage authorities upon the number of pilots, 1292–1294. 1324–1331.

Doubt as to there being any distinction as to liability in the case of vessels in the Bristol Channel under compulsory pilots and non-compulsory pilots respectively, 1295–1298 —— Object of the Bill of 1861, not only to get of the Bristol monopoly but to establish the non-compulsory principle, 1320–1323 —— Penalty upon unlicensed pilots in the Bristol Channel, 1332.

Inexpediency of vessels bound to Bristol being compelled any more than Gloucester vessels to take pilots so far west as Lundy Island if they do not require them, 1337–1343. 1359–1361 —— Invariable practice of the vessels which employ steam tugs up to Gloucester to take pilots also; deduction from the pilotage rate in such a case, 1347–1350.

CLYDE, THE:

I. *From Glasgow to Greenock:*

1. Extent of Compulsory Pilotage District.
2. Constitution of the Pilotage Board, and Regulations adopted as to Licenses, Rates, &c.
3. Evidence as to the Difficulties and Dangers of the Navigation, and as to the great Importance of Compulsory Pilotage on this and other Grounds.
4. Licensed Masters and Mates.
5. Exemptions.
6. Liability of Pilots.
7. Feeling in Glasgow adverse to Voluntary Pilotage.
8. Evidence favourable to Voluntary Pilotage, subject to Harbour Master's Regulations.
9. Conclusions and Recommendations of the Committee.

II. *From Greenock Seawards.*

I. *From Glasgow to Greenock:*

1. Extent of Compulsory Pilotage District:

Statement that the pilotage of the Clyde is only compulsory above Newark Castle, though the practice is to take pilots between the tail of the bank and Glasgow, *Henderson* 4896–4898 —— Expediency of the Clyde compulsory pilotage district being somewhat extended, by making the tail of the bank, instead of Newark Castle, the legal boundary; practically this is the boundary at present, *Allan* 5289–5291. 5354–5367.

Report, 1870—*continued.*

Clyde, The—continued.

1. *From Glasgow to Greenock*—continued.

2. Constitution of the Pilotage Board, and Regulations adopted as to Licenses, Rates, &c.

Clause in the Act obtained by the Clyde Trustees in 1825, showing the local powers under which pilotage was established, *Turner* 4782——Regulations adopted by the Pilotage Board in 1826, in order to enforce compulsory pilotage at fixed rates, *ib.* 4783, 4784.

Explanation relative to the Act obtained in 1858, and the provisions therein, combining the pilot boards of Glasgow and Greenock into one pilotage authority for the river and Firth of Clyde; powers given to the pilot board thus constituted, *Turner* 4786-4788——Bye-laws passed by the board on the subject of licenses: practice of the Glasgow committee to license compulsory pilots, and of the Greenock committee to license non-compulsory or deep-sea pilots, *ib.* 4789-4793.

Practical experience and intimate knowledge of the river required in the pilots before they are licensed, *Henderson* 4900-4903——Mode of election to the pilotage board, commerce and shipping being duly represented, *ib.* 5137-5141.

Great importance of the detailed regulations laid down by the Clyde Trustees and by the Pilot Board, it being essential to have the local pilots thoroughly acquainted with the details, *Allan* 5219-5233——Charge of the pilotage both by the foot and by tonnage, *ib.* 5337-5340——Explanation as to shipowners being allowed to select their pilot outwards, *ib.* 5347-5353——Obligation upon ships when launched to take a pilot down the river, *Alexander* 5503-5505.

3. Evidence as to the Difficulties and Dangers of the Navigation, and as to the great Importance of Compulsory Pilotage on this and other Grounds.

Particulars relative to the enormous increase of traffic on the Clyde, and the exceedingly difficult character of the navigation above Greenock, so that witness advocates an extension rather than a diminution of compulsory pilotage on this part of the river, *Turner* 4782. 4785. 4794. 4804-4843. 4858, 4859. 4878-4887——Numerous accidents in the Clyde before 1825, when there was no pilotage in the river; necessity then shown for the introduction of compulsory pilotage, *ib.* 4782. 4802, 4803. 4840——Great improvement consequent upon the introduction of the compulsory system, *ib.* 4785——Very tortuous character of the river, the channel being very narrow in some places, *ib.* 4815. 4820-4823. 4885, 4886; *Henderson* 4944-4946——More rapid increase in the traffic and in the size of the ships than in the improvement of the navigation, though the latter has been very great, *Turner* 4842. 4881-4887; *McKelvie* 5397, 5398; *Alexander* 5439, 5440.

Belief that the abolition of compulsory pilotage would make the Clyde an impracticable navigation, *Henderson* 4899——Details relative to the tortuous, narrow, and dangerous character of the navigation, whilst the traffic on the river is enormous, so that the use of pilots is an absolute necessity, *ib.* 4904 *et seq.*——Great length and tonnage of some vessels now built on the Clyde, *ib.* 4908-4910.

Belief that the abolition of compulsory pilotage would greatly increase the risk, would deter many owners from sending their ships up to Glasgow, and would destroy the efficiency of the pilot service, *Henderson* 4930-4938. 5023-5025. 5050-5062. 5148-5151. 5161-5177. 5183-5187——Very exceptional character of the river above Greenock, so that exceptional arrangements are necessary, *ib.* 4944-4962. 4990-5007——Great care required in the navigation of steamers, *ib.* 5092, 5093——Probability of many vessels not taking pilots unless compelled to do so, *ib.* 5101-5109. 5184-5187——Great liability to the navigation being stopped through vessels grounding, the exemptions from pilotage increasing this danger, *ib.* 5161-5177.

Danger in connection with the dredging and other works going on in the river, *Allan* 5223-5233——Enormous traffic on the river, there being great danger from the numerous river steamers as well as from the large ships, *ib.* 5234-5244. 5270-5272——Grounds for the conclusion that but for the compulsion to take a pilot many vessels, not knowing the port, might try to save pilotage rates, to the great jeopardy of the navigation, *ib.* 5250-5258. 5307-5335.

Obstacle to widening the navigable channel where it is most narrow, *Allan* 5266-5269——Impracticability of navigating the Clyde merely by chart, *ib.* 5272——Inadequacy of harbour master's regulations for meeting the difficulties of the navigation, *ib.* 5292-5295.

Great increase in the size and draught of vessels in the Clyde, there being much danger of their grounding on account of the navigable channel being so narrow and winding, *McKelvie* 5397-5413——Necessity of pilots with ample local knowledge, captains not being competent to take large vessels up or down the river; illustration to this effect, *ib.* 5406-5412. 5421-5426; *Alexander* 5448-5456. 5479-5484——Inadequacy of a chart without a pilot, *McKelvie* 5415.

Probability

Report, 1870—*continued.*

Clyde, The—continued.

1. *From Glasgow to Greenock*—continued.

3. Evidence as to the Difficulties and Dangers of the Navigation, &c.—*cont^d.*

Probability of many vessels not employing pilots in the Clyde under an optional system, *McKelvie* 5427–5435; *Alexander* 5457. 5461–5466—— Excessive size of some of the ships now built on the Clyde, the greatest care being required in order to take them safely down the river, *ib.* 5439–5448. 5452–5456 —— Extent of employment of pilots by vessels to and from Greenock; doubt as to this being any proof that a pilot would be taken between Greenock and Glasgow, *ib.* 5511–5536.

4. Licensed Masters and Mates:

Total of 133 masters and mates licensed for pilotage in the Clyde, *Farrer* 160—— Large number of pilotage certificates granted to masters in the Clyde; qualifications required, *Henderson* 4940–4943. 5142–5147——Inefficiency of masters as pilots unless they know the river thoroughly, *ib.* 5071–5085——Statement as to the number of masters and mates licensed as pilots for river steamers, &c., and as to the license fee in each case being fixed at 26*s.* a year, *Allan* 5245–5249. 5261–5265. 5379–5388——Large number of masters licensed as pilots for river steamers; unfitness of these to pilot large vessels, *Alexander* 5490–5492.

5. Exemptions;

Provisions for the exemption in the Clyde of all vessels under 100 tons, *Farrer* 158, 159 ——Exemption of vessels above sixty tons, and also of vessels up to 100 tons, under certain conditions which have not been fulfilled, *Turner*, 4789. 4795–4798. 4861, 4862 ——Probability of the Pilot Board of Glasgow making improved regulations if left to themselves; opinion that one great improvement would be to remove the exemption of any vessel over thirty tons above Greenock, *ib.* 4794. 4804, 4805.

6. Liability of Pilots:

Approval of extending the liability of the pilot from 20 *l.* to 100 *l.*, *Allan* 5341–5346.

7. Feeling in Glasgow adverse to Voluntary Pilotage:

Very strong feeling in Glasgow against the present Bill, *Turner* 4801, 4802. 4814. ——Absence of complaint against the compulsory pilotage rates or against the pilots, *ib.* 4808, 4809——Statement of the circumstances under which the Pilot Board met at Glasgow instead of at Greenock, upon the occasion of the preparation of a petition against the Bill; there was nothing irregular in this proceeding, *ib.* 4844–4847.

Feeling of the large shipowners in Glasgow in favour of compulsion, *Henderson* 4939. 5188–5191——Reason for the coasting shipowners not objecting to the Bill, *ib.* 5196 ——General feeling of shipowners in Glasgow in favour of compulsion; exceptional instances to the contrary, *Allan* 5259, 5260. 5374–5378.

8. Evidence favourable to Voluntary Pilotage, subject to Harbour Master's Regulations:

With regard to the operation of compulsory pilotage in the narrow part of the Clyde between Greenock and Glasgow, witness believes it probable that efficient pilots would be equally employed, and that the damage done would be equally limited, under a voluntary system, *Farrer* 157. 161. 577–590——Conclusion that a voluntary system may be adopted between Glasgow and Greenock as well as below Greenock, *ib.* 772–781 —— Question whether the same exceptional circumstances are not involved in the case of the Upper Clyde as of the Upper Thames, *ib.* 1027.

Suggestion in regard to the navigation of the Clyde near Glasgow being under the jurisdiction of the harbour master, it not being necessary to maintain compulsory pilotage *Sir F. Arrow* 1771–1775. 1823–1830—— Further conclusion with regard to the navigation of the Clyde near Glasgow, that this is more a harbour-master's question than a pilot's question, *ib.* 11856–11858. 11882. 11889, 11890——Opinion as to the Avon presenting a stronger case for pilotage than the Clyde, *ib.* 11898–11901.

Instances of accident to vessels in the Clyde in charge of river pilots, *Lee* 11937. 11944, 11945——Hardship in compelling coasters and small vessels to take pilots in the Upper Clyde, *ib.* 11985–11989.

9. Conclusions and Recommendations of the Committee:

Reference to the evidence from Glasgow as being strong and unanimous in favour of the present compulsory system between Glasgow and Newark Castle, whilst it is equally unanimous in favour of compulsory pilotage below Greenock, *Rep.* xxii, xxiii——The case of the Clyde between Glasgow and Newark Castle is very peculiar, and is more in the nature of harbour police and regulations than of pilotage, *ib.* xxiii——Conclusion that without compulsion vessels requiring a pilot would take one, and that there is no good reason for retaining the compulsory system above Greenock, *ib.*

Clause inserted by the Committee of the Bill empowering the local authorities to make bye-laws for the proper regulation and police of this portion of the river, *Rep.* xxvi.

CLYDE, THE—continued.

II. *From Greenock Seawards:*

Approval of non-compulsory pilotage below Greenock, *Turner* 4806. 4807. 4838. 4871–4877——Statement as to the very inefficient character of the non-compulsory pilots below Greenock as compared with the efficiency of the compulsory pilots above Greenock; strong objection on this ground to the voluntary system, *Henderson* 5023–5027. 5047–5070. 5110–5114. 5130–5135. 5178–5187——Inferiority of the Greenock deep-sea pilots as compared with the Glasgow pilots, *Allan* 5279–5285——Very easy pilotage below Greenock, *Alexander* 5508–5510.

Complaint as to the river pilots frequently infringing upon the ground of the deep-sea pilots, by taking vessels to Garelock as well as out to sea and round the coast, whereas the deep-sea pilots cannot go above Newark Castle, *Lee* 11914 *et seq.*——Compulsory pilotage on the river whilst from Newark Castle out it is optional, *ib.* 11915.

Witness submits that the deep-sea pilots should be protected within their own limits, or should be allowed to pilot up to Glasgow, *Lee* 11924–11931. 11952–11957. 11982–11984——Qualifications of witness as pilot adverted to; he has hardly ever had an accident to a ship, *ib.* 11931–11936——Information as the employment and average earnings of the eighteen deep-sea pilots of Greenock; witness makes about 200 *l.* a year, *ib.* 11938–11952. 11966–11981.

Concurrence in the complaint of Mr. Robert Lee as to the grievance suffered by the Greenock deep-sea pilots through the encroachments of the river pilots, *Adams* 11999–12010——Small earnings now made by witness and the majority of the deep-sea pilots, *ib.* 12002–12009.

Concurrence in the complaint as to the river pilots of Glasgow infringing on the pilotage grounds of the Greenock deep-sea pilots, whereas the latter are not allowed to go up to Glasgow, *Irvin* 12011–12020.

Coasters. See *Bristol and Bristol Channel. Clyde, The. Dublin. Exemptions. Hull. Liverpool. Runcorn. Swansea. Thames, The.*

Cochrane, James. (Analysis of his Evidence.)—Sundry grounds upon which witness, as a shipowner in Belfast, objects to voluntary pilotage in the river; reference more especially to the difficulties of the navigation and to the efficiency of the present system 9790–9817. 9829–9834——Willingness of witness to be held liable for accidents when a compulsory pilot is employed, 9818–9828.

Collisions. See *Accidents. Liability.*

Compass, Deviation of. Importance of the knowledge of the captain, when a pilot is on board, in regard to a deviation of the compass, *Judkins* 2333–2335——Illustration, in the matter of adjusting the compass, of the importance of the pilot not superseding the captain, *Danson* 3188–3190.

COMPENSATION:

Explanation relative to the effect of clause 2 of the Bill in regard to compensation, if within a given period it can be shown that the demand for pilots has fallen off, and that it is necessary to reduce the number, *Farrer* 239–242——Possibility of hardship under the clause requiring a lapse of two years before any compensation is given, *ib.* 482, 483——Willingness of Government to reconsider the question of not granting compensation until after two years' operation of the proposed Act, *ib.* 526, 527. 679, 680.

Expediency of a check in the Treasury and the Board of Trade as to the number of pilots to be superannuated by the pilotage authority of Liverpool, if the Bill be passed, *Farrer* 712. 719–723. 765–768. 829.

Improbability of its being necessary to make much use of the compensation clauses of the Bill; suggestions hereon on the subject of superannuation under different circumstances, *Sir F. Arrow* 1472–1481. 1600–1606. 1670–1673. 1813–1815. 1876.

Exception taken to the proposal in the Bill for an interval of two years before claims for compensation can arise, *Squarey* 2562, 2563; *Millen* 7276–7278——Probable dissatisfaction to be caused by leaving the amount of compensation in the discretion of the Board of Trade, *Squarey* 2564, 2565——Exception taken to the clauses as to compensation, this being a matter which should rest with the local authority rather than the Board of Trade, *Bannister* 5608–5612. 5695–5700. 5755, 5756.

Evidence in disapproval of the scheme of compensation; particulars hereon as to the present superannuation arrangements in the case of the Trinity pilots and the Cinque Ports pilots, *Millen* 7276–7278. 7307–7310. 7345–7357. 7416–7451. 7492–7498; *Mallett* 7544–7570——Suggestion that the present income of the pilots be guaranteed to them, *Millen* 7308, 7309. 7345–7347.

Several grounds upon which witness objects to the compensation clauses of the Bill, *Ralph* 7869 *et seq.*——Disapproval of the permissive character of the compensation clauses,

Report, 1870—*continued.*

COMPENSATION—continued.

clauses, *Ralph* 7885–7888. 7898, 7899——Improvement if the interval before compensation were only one year instead of two, *ib.* 7889–7897——Satisfaction of witness if he were now superannuated at half his earnings, *ib.* 7910–7921.

Objection to the permissive character of the compensation clauses of the Bill, and to the interval of two years; witness submitting that the present income of the pilots should be guaranteed to them for life, *Barfield* 8282–8290. 8300–8319——Entire inadequacy of the compensation clauses of the Bill, *Pattison* 8774. 8778, 8779.

Views of the Shipowners' Society of London as to the expediency of compensation; disapproval however of the limitation of the number of pilots for two years with reference to compensation, *Duncan* 9730–9744——The period should be six months instead of two years, *Benson* 9874. 9876——Exceptions taken to some of the conditions proposed in regard to the compensation of the pilots, *Holt* 11227–11236.

Belief that no compensation will be necessary, as the employment is not likely to fall off, *Robinson* 12799–12806. 12868. 12870——Grounds for the opinion that compensation should not be borne by the Consolidated Fund, *ib.* 12859–12868.

See also *Belfast.* *Dublin*, 4. *Hull*, 11, 4. *Liverpool*, IX, X. *Thames, The*, IX, X.

Competition. Conclusion as to self-interest and competition being more efficient stimulants than rules and discipline, *Rep.* xxviii.

See also *Free Trade.* *Voluntary Pilotage.*

COMPULSORY PILOTAGE:

1. *Report by Mr. Lindsay's Committee in favour of partial Abolition.*
2. *Evidence in favour of Abolition generally.*
3. *Evidence in Defence of the Compulsory Principle.*
4. *Conclusions of the Committee favourable to Abolition.*

1. *Report by Mr. Lindsay's Committee in favour of partial Abolition:*

Quotation from report of Mr. Lindsay's Committee of 1860, as showing the conclusions then arrived at adverse to compulsory pilotage, *Farrer* 92–95——Explanation as to Mr. Lindsay's Committee having reported that compulsory pilotage may be abolished "in most parts" of the country, instead of "in every part," *ib.* 94–97.

2. *Evidence in favour of Abolition generally:*

Summary of reasons for the abolition of compulsory pilotage throughout the country, *Farrer* 203——Conclusion that the pilots do not show as much care and anxiety as if employed only when wanted, *ib.*——Probability of compulsory pilotage having been originated in the days of guilds, *ib.* 246. 659–661——Reasons for the abandonment by the Board of Trade of the principle that pilotage, being for the benefit of all, should be contributed to by all; it is now proposed that only those who use pilots shall pay, *ib.* 272–279——Primary object of the present Bill to remove the obligation upon the ship to employ a pilot, without interfering with local regulations, *ib.* 229. 354–363.

Absence of hardship in compelling an owner to employ a licensed master or mate, whereas it is a hardship to compel him to employ a pilot, *Farrer* 700–704——Important distinction in principle between the obligation to take a pilot in any case, and the obligation to take one of a particular class, if one be taken at all, *ib.* 840–847.

Opinion based upon witness's experience of the Bristol Channel, that it would be a great advantage if compulsory pilotage were abolished generally, *Clegram* 1088–1095. 1206–1210. 1299–1301.

Conclusion favourable to the abolition of compulsion, even though the anomalies in respect of liability might be otherwise removed, *Sir F. Arrow* 1529, 1530. 1542–1547. 1792–1799——Exception taken to the shipping interest being compelled to pay pilotage rates, though not compelled to employ pilots; practices as to payment for lights adverted to hereon, *ib.* 1553–1568——Objection to the principle of compulsion even though, under the voluntary system, ships may equally employ pilots from the same class as at present, *ib.* 1782–1791.

Injustice in forcing shipowners to pay pilotage, though not employing pilots, *Duncan* 9662–9664—— Opinion that compulsory pilotage is no longer necessary, the coasts being so well buoyed and lighted, and the charts so well got up, *Johnson* 12244, 12245. 12258.

3. *Evidence in Defence of the Compulsory Principle.*

Explanation that in contending for the continuance of the compulsory system, witness speaks only for Liverpool, where it has answered so well; he has no experience as to the working of the voluntary system in other ports, *Judkins* 2050–2059. 2070–2093. 2127.

Compulsory Pilotage—continued.

3. *Evidence in Defence of the Compulsory Principle*—continued.

2144. 2176, 2177——Opinion that in any port where the navigation is difficult, or where there is a bar harbour, compulsion is desirable, in order to secure a proper supply of efficient pilots, *Judkins* 2077–2082. 2278–2282.

Argument that the compulsion is to pay pilotage rates, and not to take a pilot on board; extent to which the penalties may involve compulsion, *Squarey* 2398–2435. 2444–2451. 2472–2476. 2496–2512——Statement as to the witness's views, involving the abolition of exemptions; the degree of contribution might be varied infinitely, *ib.* 2456–2466. 2483–2487——Opinion that, unless where the navigation is specially dangerous, there should not be obligation to take a pilot, *ib.* 2480. 2513–2517.

Argument in support of compulsory payment, even though a pilot may not be taken; analogous principle involved in the payment for police, lighthouses, &c., *Lamport* 3607, 3608. 3632–3634. 3694. 3726–3733——Opinion in favour not only of compulsory payment by all vessels for pilotage, but of compulsory employment of pilots when there is not a licensed master in charge, *Galloway* 4079–4081. 4094–4099. 4107, 4108——Salutary effect of the moral obligation upon pilots to be at their stations under the compulsory system, *Bannister* 5759–5762.

Opinion in favour of compulsory pilotage generally, accompanied with facilities for the licensing of masters and mates, *Lumsden* 6113–6118. 6127–6135——Argument that there is not really any compulsory pilotage at all, *Mallett* 7571——Witness has not read the Bill, and is merely prepared to give his opinion in favour of compulsory-pilotage, *Tozer* 8198–8206.

4. *Conclusions of the Committee favourable to Abolition.*

Consideration of the past and present state of the law on the subject of compulsory pilotage; great anomaly and inconsistency by reason of the varied exemptions which have been introduced, *Rep.* iii *et seq.*——Frequent complaints formerly on the part of coasting steamers against compulsory pilotage, *ib.* iii, iv——Numerous complaints and varied character of the grounds of complaints urged by shipowners, and by the different classes of pilots in the Trinity House District, *ib.* xi, xii.

Argument opposed to the conclusion that the compulsory system is necessary in order to maintain a competent supply of pilots, *Rep.* xxviii——Further expression of the opinion that the first essential step is the abolition of the obligation to employ a pilot, *ib.* xxix——Probability of the services of pilots not being so readily or effectively given under the compulsory system as if their employment depended on their efficiency, *ib.*

Injustice of the compulsory system as obliging many ships that do not require pilots to pay for keeping up a staff for those that do, *Rep.* xxix——Impracticability of curing the evils caused by the present system, save by abolishing compulsory pilotage altogether, *ib.* xxx.

See also *Accidents. Anomalies of System. Belfast. Belgium. Boats. Bristol and Bristol Channel. Chambers of Commerce. Clyde, The. Dublin. Exemptions. Falmouth. Foreign Countries. France. Galway. Hull. Insurance. Liability. Light Dues. Liverpool. Lloyd's. Local Authorities. Passenger Ships. Penalties. Safety of Life. Shipowners. Swansea. Thames, The. Trinity House. Tugs. Underwriters. Voluntary Pilotage. Waterford.*

Cork. See *Queenstown and Cork.*

Cruising of Pilots. Feeling of many shipowners in favour of pilots being allowed to cruise at a long distance from the ports, *Farrer* 596, 597.

Cunard Service. General opinion of the commanders in the Cunard service that the compulsory system is essential in the Mersey, *Judkins* 2038.

Letter from Mr. McIver, dated 13th June 1870, strongly objecting, on the part of the Cunard Company, to the abolition of compulsory pilotage, *App.* 576–579.

Statement by Mr. Wallace as to the very large amount of pilotage rates paid at Liverpool by the Cunard Company, and as to the large tonnage dues contributed to the dock estate, *App.* 579.

D.

Daines, William. (Analysis of his Evidence.)—Is a licensed pilot from London to the Isle of Wight, 8497–8501. 8521——Belief that if the Bill became law there will be a great many wrecks in the winter time, and that the pilotage service will no longer be efficient, 8502–8506——Large reduction expected in the employment and earnings of the pilots, 8503–8508. 8536–8550——Suggestions as to the compensation to be given to the London pilots,

Report, 1870—*continued.*

Daines, William. (Analysis of his Evidence)—*continued.*

pilots, 8509–8512——Grievance to the licensed pilots on account of the evasion practised by unlicensed men, 8513–8515.

Opinion that a ship run down should be able to recover from the owner of the other ship, the pilot being liable to the latter for 100 *l.*; 8516–8519——Non-objection to the Gravesend pilots outwards being licensed to pilot all the way from London, 8522–8529——Different class of unlicensed men above and below Gravesend, 8530–8535——Expected use of tugs by vessels inwards for taking them past the pilotage ground, 8536–8538.

Danson, John Towne. (Analysis of his Evidence.)—Is chairman of the Underwriters' Association of Liverpool, 3122, 3123——Satisfaction of the underwriters with the present pilotage system of the port, 3124–3126. 3148——Respects in which a vessel is likely to be more safe in charge of a trained pilot than of a captain who has passed the examination for a pilotage certificate; amendment suggested on the latter score, 3127–3129. 3140–3144. 3290–3294—— Estimate of 400,000,000 *l.* as the annual value of property inwards and outwards in the Mersey, 3130, 3131——Large extent of the channels of the Mersey, 3132, 3133——Estimate of 400,000 as the number of lives that pass in and out of the port yearly, 3134.

Belief that there is no other port in the world involving so dangerous a navigation as Liverpool; limited knowledge of witness as to the navigation of the Thames adverted to hereon, 3135. 3252. 3277–3279. 3327–3332. 3345. 3422—— Very decided opinion in favour of retaining compulsory pilotage in the Mersey; examination in support of this conclusion, 3136 *et seq.*——Statement in favour of every vessel in the Mersey being bound not only to pay for a pilot but to take one; that is, as a matter of police for the safety of all, 3138. 3213, 3214. 3249–3251. 3288, 3289.

Suggested extension of the principle of compulsion in the direction of the abolition of exemptions, 3139. 3232. 3318–3320. 3411, 3412——Excellent manner in which the port is buoyed and lighted, 3144–3147——Probability of about one-fourth or one-fifth of the owners not taking pilots when they consider the weather favourable, under an optional system; danger thus imparted to the navigation, which should be guarded against, 3149–3152. 3215–3218. 3333–3344.

Consideration of the law and the practice as to policies of insurance involving the employment of pilots; conclusion that under an optional system underwriters would not stipulate for the services of pilots, but would rather increase the premium on account of the increased risk, 3153–3160. 3207–3211. 3233–3242. 3273, 3274. 3295–3313. 3357–3364——Belief that there would be an increased loss of life and property under an optional system in the Mersey, 3159. 3176–3178.

Very general feeling among underwriters and shipowners at Liverpool in favour of retaining compulsory pilotage, 3161–3163. 3229, 3230. 3245——Expediency of the imprudent as well as the prudent shipowner being required to contribute to the cost of the pilotage establishment, 3164–3167. 3216, 3217——Conclusion that under an optional system pilots would be less regularly employed, and would not always be found when most wanted, 3168–3170. 3217–3226——Opinion that compulsory pilotage or absolute freedom as to rates are the only alternatives, 3171–3173.

Necessity of regulations for the maintenance at all times of a large and efficient staff, 3174–3179——Very small cost of the staff with reference to the enormous value at risk, 3175, 3176. 3409, 3410——Importance of all steamers having pilots, though in tow of steam tugs, 3180. 3284–3287.

Evidence in support of the view that concurrently with compulsory pilotage the owner should be liable for accidents; approval so far of the principle of the present Bill, 3182–3195. 3227–3229. 3263–3272. 3314–3322. 3365–3393——Contemplated liability of the pilot to the local authority, 3186, 3187. 3264——Relative functions of the captain and pilot adverted to; inexpediency of the latter being supposed to supersede the former in the command, 3188–3191. 3314–3317.

Doubt as to the expediency of any general or uniform principle being laid down by law on the subject of pilotage, 3196–3203——Argument that Liverpool should in any case be allowed to maintain a system proved to be so efficient, 3196–3202——Serious liability doubtless incurred by owners in not taking pilots, 3204–3206——Further statement that witness looks upon compulsory pilotage in the Mersey as a matter of needful police, 3213. 3231. 3246. 3249–3251. 3260–3262. 3288, 3289.

Statement as regards insurance rates being higher on vessels from Bombay to the Clyde than to Liverpool; this is not a pilotage question, 3253–3259——Conclusion as to there being a larger proportion of collisions in the Mersey in the case of unpiloted than of piloted ships, 3273, 3277——Preventive action of pilots in the matter of loss of life, it being impossible to estimate the loss of life prevented, 3280–3283.

Experience of the Thames adverted to with reference to witness's view, that under an optional system in the Mersey an efficient staff would not be available, 3325–3332——

Report, 1870—*continued.*

Danson, John Towne. (Analysis of his Evidence)—*continued.*

Statement to the effect that though four-fifths of the ships insured would in any case take pilots there would still be increased loss and an increase of insurance rates, 3333–3356——Power of the underwriters to protect themselves by an increased premium, so that they would not suffer by the Bill, 3394–3401.

Adequacy of the earnings of pilots in the Mersey to induce zeal and efficiency 3402–3408——Approval of the non-exemption from compulsory pilotage in the Thames of vessels carrying passengers though only one or two in number, 3413-3419——Doubt as to the underwriters in London being as a body opposed to compulsory pilotage; absence of analogy, however, between the Thames and Mersey, 3420–3422.

Davies, Thomas. (Analysis of his Evidence.)—Is a master pilot of Liverpool; has been thirty-seven years in the service, 12936, 12937——Inaccuracy of the statement by the pilot, Henry Jones, as to the amount of his annual receipts for pilotage, 12938–12940——Explanation of the circumstances under which the witness Beckett was deputed by the Liverpool pilots to give evidence against the Bill, 12941–12961—— Statement that the evidence of Jones and Beckett by no means represents the views of the pilots, who are as a body opposed to the abolition of the compulsory system; particulars hereon as to certain meetings of pilots on the question, 12941–12959. 13011–13024.

Inaccuracy of Beckett's statement that the pilot boats avoid the small vessels in order to supply large ones, 12962–12965——Explanation of Beckett's statement as to the pilots not taking regular turns, 12966——Denial also that the pilots have not full occupation for their time both at sea and on shore, 12967–12972——Particulars as to witness having been chosen to represent the boat-owning pilots whilst Beckett was one of two chosen for those who are not boatowners, 12973–13007——Question whether there is not much difference of opinion between the pilots who are boatowners and those who are not boat-owners, 13001–13010.

Deal Boatmen. Zeal shown by the Deal boatmen in bad weather, under the voluntary system, *Sir F. Arrow* 1665–1667—— Great danger by employing boatmen instead of pilots in the Thames district, *Castle* 7710, 7711; *Tillman* 7751——Exception taken to the employment of Deal boatmen instead of licensed pilots; statement hereon as to witness not having been aware that this is provided against under the Bill, *Tozer* 8191–8197. 8220, 8221——Practice of the Deal boatmen to pilot up to Gravesend but not down again, *Pattison* 8931–8941. 8951——Efficient services often rendered by Deal boatmen, *Duncan* 9570.

Capacity and character of the Deal boatmen as pilots; valuable services often rendered by them, *Rep.* x——Instances of misconduct in the matter of wrecked property and salvage, *ib.*——Suggestion in regard to the licensing of all such Deal boatmen as may prove themselves to be competent and of good character, *ib.* xiii.

Discipline. Facility of carrying out discipline in any port concurrently with voluntary pilotage, *Holt* 11184–11187.

Doyle, James. (Analysis of his Evidence.)—Is master of a Dublin pilot cutter; has been thirty-five years in the service, 8585–8587——Total of forty pilots, five masters, and five cutters in the service, 8589. 8629. 8678——Provision and maintenance of the cutters out of the pilots earnings, 8591-8601——Several difficulties of the navigation, so that experienced pilots are very essential, 8602–8615. 8675-8677——Gratuitous assistance rendered by the pilots to vessels passing up and down the channel, 8616–8628——Statement as to the claims of the pilots in regard to compensation; belief that under the Bill there would be hardly any employment for them, 8629–8683.

Drew, Captain John. (Analysis of his Evidence.)—Has been harbourmaster of the port of Bristol since 1841, and has had nearly sixty years' experience of the navigation of the Bristol Channel; is also a Younger Brother of the Trinity House, 6396–6402——Constitution of the pilotage authority of Bristol under an Act of 47 Geo. 3, and under the Bristol Dock Act of 1848, the jurisdiction extending from Bristol to Lundy, 6403–6411——Exception of vessels under eighty tons from compulsory pilotage, unless a pilot tenders his services when half rates are paid, 6412–6416. 6676–6690. 6838–6840.

Practice of coasting steamers to have certificated masters in lieu of pilots, certificates being given without limit, 6417–6422. 6804–6809. 6837–6840——Reduction in the number of Bristol pilots, there being now only sixty, owing to there being separate pilots for Cardiff, Newport, and Gloucester; further diminution intended on account of the falling off in the earnings, 6423-6426. 6599–6610——Exceedingly intricate and difficult navigation of the Avon from Kingroad to Bristol, very strict supervision and discipline being essential in order to prevent obstruction, and voluntary pilotage being most objectionable, 6427–6439. 6470–6482. 6492–6500. 6631–6659. 6751–6759. 6791–6803. 6850-6867.

Efficiency of the pilots' boats, forty-four in number; long distance to which they sometimes go, 6440–6452. 6668, 6669——Improbability of the pilots going westward of Lundy under an optional system, 6453. 6589–6598——Practice as to the pilotage of vessels from Bristol to Newport, Cardiff and Gloucester, and as to the liability of pilots

Report, 1870—*continued.*

Drew, Captain John. (Analysis of his Evidence)—continued.

to be superseded; tendency of the system to confine the licensing of pilots to one port only, 6454–6468. 6736 6745——Objection to the compulsory system being abolished from Lundy inwards; improbability in such case of an efficient supply of pilots being kept up for the lower part of the channel, 6469. 6508–6513. 6589–6598. 6611–6630. 6783–6786.

Respects in which danger is likely to arise between Lundy and Kingroad, if the pilotage were voluntary, 6483–6491. 6812–6821——Views of the Corporation of Bristol in favour of a compulsory system and of entire control, as regards the river itself, 6501–6507. 6584, 6585——Sufficiency of about twenty pilots for the river, 6514–6518——Increased earnings of the Bristol pilots in 1869, owing to the increased trade, 6519–6522——Small increase in the pilotage earnings of Cardiff and Newport as compared with the great increase of trade, 6523–6525——Satisfaction given in Bristol by the present system, 6526, 6527.

Circumstance of the Corporation being favourable to voluntary pilotage between Lundy and the Holmes; witness does not concur in this view, 6532–6536. 6580–6588. 6691–6717. 6748–6750. 6772–6786——Examination as to witness having been opposed to voluntary pilotage in the case of Gloucester, Cardiff, and Newport, and as to pilots being largely employed voluntarily; doubt, however, whether the same results would follow as regards vessels for Bristol, 6535–6579. 6611 *et seq.*——More exceptional character of the Avon than of the Severn above Chepstow, 6653–6659. 6843–6849——Power of the pilotage authority to stop the licensing of apprentices, if not required for the service, 6660–6665.

Very moderate earnings of the Bristol pilots, 6666, 6667——Feeling of owners of large vessels in favour of retaining immunity from liability in conjunction with compulsory pilotage, 6671–6674——Statement as to compulsory pilotage having been applied for by the Bill of 1861, relative to Cardiff, &c., and as to the Bill having been altered by the Committee of the House, 6695–6701. 6787–6790——Doubt as to the pilotage rates between Kingroad and Bristol being excessive, 6760–6768.

Unanimity at Bristol as regards the importance of compulsory regulations in the river, 6791–6793. 6854——Less safety of vessels in the Avon if navigated by their captains instead of by pilots, 6822–6824. 6864–6867——Responsibility resting with the captain even where there is a pilot on board, 6825–6832——Objection to the owners being responsible for negligence in the pilot, 6833, 6834——Undue value placed upon their boats by the pilots, 6835, 6836——Further objection to voluntary pilotage in the Avon, though the great majority of vessels might continue to take pilots between Kingroad and Bristol, 6850–6881.

DUBLIN:

1. *As to the present Pilotage Service, and its Administration.*
2. *Question of Compulsory or Voluntary Pilotage.*
3. *Character of the Navigation.*
4. *Question of Compensation under a Voluntary System.*
5. *Dublin and Kingstown Steam Packet Company.*

1. *As to the present Pilotage Service, and its Administration:*

Total of forty pilots, five masters, and five cutters in the service, *Doyle* 8589. 8629. 8678——Provision and maintenance of the cutters out of the pilots' earnings, *ib.* 8591–8601——Gratuitous assistance rendered by the pilots to vessels passing up and down the Channel, *ib.* 8616–8628.

Much more extensive exemptions in Liverpool than in Dublin, *Watson* 10747–10750——Great improvement by transferring the pilotage of Dublin from the Ballast Board to the Port Board; constitution of the latter, *ib.* 10805–10816.

Return from the pilot authorities containing details relative to the number of pilots and apprentices, the pilots' fund, pilotage rates, pilots' earnings, &c., *App.* 554.

Summary by the Committee of the regulations as to pilotage at Dublin; free examination of masters and mates for licenses, *Rep.* xxvi.

2. *Question of Compulsory or Voluntary Pilotage:*

System of compulsory pilotage at Dublin; objection made by the Board of Trade to a Bill in 1869 for extending the limits of the compulsory district, *Farrer* 162–164——Objection raised by the shipowners of Maryport and Workington to compulsory pilotage in the Dublin district, *ib.* 165.

Witness testifies to the efficiency of the Dublin pilot service under the compulsory system, but is not prepared to say the service would be less efficient under an optional system, *Triphook* 8553–8569. 8572, 8573——Coasters would dispense with pilots under an optional system, it being a hardship to force pilots upon them, *ib.* 8574–8581——Foreign ships would equally employ pilots under a non-compulsory system, *ib.* 8577–8580.

Report, 1870—*continued.*

DUBLIN—continued.

2. *Question of Compulsory or Voluntary Pilotage*—continued.

Approval of the Bill by the Dublin Docks and Harbour Board, save as regards the compensation clauses, *Watson* 10720-10722. 10734-10742——The over-sea trade is small, and the colliers and other coasters will mostly dispense with pilots if the Bill be passed, *ib.* 10722, 10723——Probable advantage if every vesel into Dublin had a licensed pilot, though coasters should not be compelled to take one, *ib.* 10801-10804.

3. *Character of the Navigation:*

Difficult entrance to the port, *Triphook* 8568——The captains of the Holyhead packets are all certificated pilots, and have no difficulty in entering the port, *ib.* 8570, 8571 —— Several difficulties of the navigation, so that experienced pilots are very essential, *Doyle* 8602-8615. 8675-8677.

The navigation is very easy, *Watson* 10728——Inaccuracy of certain evidence as to the difficulties of the navigation into Dublin, there being no good reason for compulsory navigation, *Reynolds* 11033-11041. 11049, 11050. 11073-11077.

4. *Question of Compensation under a Voluntary System:*

Witness considers that the pilots should be well compensated under the Bill, *Triphook* 8569. 8580-8584——Statement as to the claims of the pilots in regard to compensation; belief that under the Bill there would be hardly any employment for them, *Doyle* 8629-8683—— Evidence showing that the Bill will have a very marked effect in decreasing the use of pilots at Dublin, and that speedy compensation is essential; suggestion hereon that the interval be reduced from two years to six months, *Watson* 10720-10733. 10786-10798. 10851-10867——Suggestion that the compensation should be so arranged that the pilot's position should not be worse under the Bill, *ib.* 10791-10793. 10868-10875 ——Approval of the superintendent of the pilots in Dublin being maintained out of the pilotage fund, *ib.* 10799, 10800. 10832-10836.

Conclusion of the Committee that the only question at Dublin is that of compensation for the pilots, if compulsion be abolished, *Rep.* xxvi.

5. *Dublin and Kingstown Steam Packet Company:*

Inaccuracy of certain conclusions of the Dublin Ballast Board as to the responsibility in the case of passenger steamers between Kingstown and Dublin, to which compulsory pilotage was applied, *Farrer* 166.

Correspondence in July and August 1866 upon the question of the vessels of the Dublin and Kingstown Steam Packet Company being required to have pilots, or masters, or mates with pilots' certificates, when running between Dublin and Kingstown, *App.* 550, 551.

See also *City of Dublin Steam Packet Company.*

Dunbar, Mr. (the late). Views of Mr. Dunbar, in 1860, in favour of compulsory pilotage, *Farrer* 80——Evidence of Mr. Dunbar before the Committee of 1860 further adverted to, *ib.* 753-755——The reason of Mr. Dunbar for approving of compulsory pilotage was that it exempted from liability, *ib.* 805.

Duncan, George. (Analysis of his Evidence.)—Is largely interested as a shipowner and underwriter in London; is chairman of the London General Shipowners' Society, 9539-9544——Considers that the society fairly represents the shipowners of London, and that Mr. Taylor is in error on this point, 9545, 9546. 9704-9710——Full discussion of the present Bill by the society through its committee, the result being that they approve of the abolition of compulsory pilotage; constitution of the committee adverted to hereon, 9547-9549. 9626-9634. 9665-9670. 9704-9710. 9730——Preference of the society for an entirely free system of pilotage, 9549. 9626-9632.

Grounds for the conclusion that the competition under free pilotage would secure greater efficiency than now results from compulsory pilotage, 9550. 9570-9575. 9621-9625. 9638-9648. 9729. 9743——Grievance in being compelled to take pilots at Dungeness, and in there being no power of selection in the case of ships inwards to London, as there is in the case of ships outwards, 9550. 9562-9572. 9649-9662——Probability of the great majority of vessels continuing to take pilots under a voluntary system, 9551-9561.

Mischievous effect of the law as to the immunity of the owner when there is a compulsory pilot on board; great injustice, however, in removing such immunity unless pilotage be voluntary, 9563-9567. 9576-9582. 9637——Belief as to the large employment of pilots, and the large earnings, under an optional system, 9583-9602——Satisfactory working of voluntary pilotage in the north channel of the Thames, 9592-9599. 9686-9694.

Efficiency and low charges of many of the Thames watermen as pilots, 9603-9607 —— Facilities desirable as regards the examination of watermen, in order to become licensed pilots, 9608-9619——Approval of perfect freedom in the matter of pilotage, the Bill,

Report, 1870—*continued.*

Duncan, George. (Analysis of his Evidence)—continued.

Bill, however, not going to this length, 9620-9648——Expediency of the shipowners of London being properly represented in the pilotage authority, 9633. 9671-9678. 9698-9700-9724——Injustice in forcing shipowners to pay pilotage, though not employing pilots, 9662-9664.

Very bad working of the present pilotage system of the Thames, 9671, 9672——Importance of abolishing compulsory pilotage, as well as of amending the pilotage authority, 9678-9680——Doubt as to a ship being rendered unseaworthy in the eyes of the law when a pilot is not employed in pilotage waters, 9681-9685——Different rates paid by steamers and by sailing ships, 9695-9697.

Occasional employment by witness of a waterman as well as a pilot, the latter having charge of the ship, 9701-9703——Advantage in the captain not giving up sole charge to the pilot, 9711-9714——Unrestricted number of pilots at Calcutta, an examination being required, 9715-9717——Probability of the licensed pilots superseding Mr. Hinton and other watermen if the Bill be passed; great abuse at one time in this respect, 9718-9720.

Disapproval of the attempted regulation of the number of pilots in the Thames, 9721-9725——Opinion that there is no reason for exempting Liverpool from the operation of the Bill, 9727-9729——More efficient pilotage service in the Mersey than in the Thames, 9728——Views of the Shipowners' Society as to the expediency of compensation; disapproval however of the limitation of the number of pilots for two years with reference to compensation, 9730-9744.

Dundee. Great satisfaction given by the voluntary system at Dundee; very complete regulations in force there, *Farrer* 225. 238——Practice at Dundee as to the supply of pilot-cutters at sea, the pilotage being voluntary, *ib.* 462-464.

Dungeness. See *Thames, The*, iii, 7.

"*Earl of Auckland,*" *The.* Case of the "Earl of Auckland" cited, as showing the litigation arising upon the question of vessels being compelled to carry a pilot, *Farrer* 77. 112.

E.

Earnings of Pilots. Approval of local regulations as to the distribution of earnings, as at Dundee, *Farrer* 472-476——Less efficiency if the present income were not maintained, *Tillman* 7763, 7764.

Return of the numbers and earnings, &c., of pilots at compulsory and non-compulsory ports, *App.* 553.

Conclusion that the abolition of compulsion will in the end render the service more remunerative to efficient pilots, *Rep.* xxx.

See also *Bristol and Bristol Channel. Clyde, The. Compensation. Hull*, i. 4. *Licensed Pilots. Liverpool*, i, 10, 12. *Thames, The*, iii, 4, iv, 2. *Voluntary Pilotage.*

Employment of Pilots. See *Bristol, and Bristol Channel. Clyde, The. Compensation. Grimsby. Hull*, i, 4, ii, 1. *Licensed Pilots. Liverpool*, i, 4, viii. *Thames, The*, iii, iv, viii. *Tugs. Voluntary Pilotage.*

Evans, Admiral George. (Analysis of his Evidence.)—Since 1843 has been acting conservator of the Mersey; has also had much experience in the navy, and knows something of nearly every port in the kingdom, 4570-4576——Constant attendance and vigilance required in order to detect the frequent and minute changes that take place in the channel of the Mersey, 4575-4581——Result of witness's experience nearly all over the world that the navigation to Liverpool is of a peculiarly dangerous and exceptional character; it is out of all question more dangerous than that of the Thames or Bristol Channel, 4579-4583. 4596-4617.

Decided opinion as to the efficiency of the Liverpool pilotage service, and as to the necessity of continuing the present system, 4584-4591——Strong objections to an application of voluntary pilotage to Liverpool, though it may answer in many other ports, 4590-4619——Circumstance of Liverpool harbour being already excepted from the control of the Board of Trade on account of its very exceptional character, 4596——The present system works admirably, and witness would advise the Committee to let well alone, 4618.

Evans, George Henry. (Analysis of his Evidence.)—Is agent at Bristol for the Liverpool and Bristol Channel Steam Navigation Company; has resided at Bristol for twenty-four years, 12320-12323——Large increase of pilots at Cardiff, Gloucester, and Newport since the pilotage has been optional, whilst the pilots at Bristol under the compulsory

Report, 1870—*continued.*

Evans, George Henry. (Analysis of his Evidence)—*continued.*

system have decreased, 12324-12332. 12384-12394——Comparative rates charged by the Bristol pilots, and by the pilots of Cardiff, &c.; much higher rates in the former case, 12334. 12377. 12388——Very satisfactory working of free pilotage at Cardiff, &c., there being no lack of pilots, who get good employment, 12334. 12403-12409.

Approval of a non-compulsory system at Bristol; undue pressure of rates under the compulsory system, 12335-12337——Practice of Cardiff vessels to employ pilots whenever there is any occasion, the voluntary system not having led to risk or accidents, 12338. 12403-12410——Necessity of foreign vessels taking pilots from the mouth of the Avon up to Bristol, this, however, being a proper matter to be dealt with by harbour regulations, and witness strongly objecting to the steamers of his company being compelled to take a pilot, 12340-12348. 12352-12366. 12379-12383. 12411-12419.

Statement as to the captain of one of the steamers of witness's company not having taken out a pilotage certificate for Bristol, but only for Swansea and Milford, 12343. 12349-12351. 12367-12376——Belief that optional pilotage in the Avon would not lead to any increase of accidents likely to obstruct the navigation, 12362-12366. 12379-12383——Heavy pressure of compulsory rates at Bristol, Swansea, Milford, and Liverpool, 12395-12402.

Examination of Masters and Mates. See *Masters and Mates.*

Examination of Pilots. Expediency in any case of pilots being examined and licensed, *Squarey* 2469-2471——Opinion that a thorough examination of every pilot should be essential, *Luton* 12581——*See* also *Licensed Pilots.*

Exemptions (Compulsory Pilotage):

Proviso in the Act 12 & 13 Vict. c. 88, exempting from compulsory pilotage under certain conditions; this was not generally acted upon, *Farrer* 16, 17——Explanations in reference to sundry clauses of the Merchant Shipping Act of 1854, upon the question of exemption as regards more especially the case of passenger ships, *ib.* 19-23——Very capricious character of the exemptions from compulsory pilotage, *ib.* 66. 73——Great variety of regulations and of exemptions in the different pilotage districts, *ib.* 104——Anomaly involved in the system of exemptions, *ib.* 203.

Effect of an abolition of exemptions in compelling many more vessels to take pilots, thus imposing a heavier liability upon shipping, *Sir F. Arrow* 1496-1501——The first exemption made was a direct blow at compulsion, *ib.* 1389——It is neither practicable nor advisable to go back in the direction of removing exemptions, *ib.* 1389, 1390——Logical conclusion that exemptions having once been made, more must follow, *ib.* 11886-11888.

Opinion adverse to exemptions, it not being unreasonable to make every vessel contribute to a service maintained for the benefit of all, *Squarey* 2456-2466. 2483-2487——Suggested extension of the principle of compulsion in the direction of the abolition of exemptions, *Danson* 3139. 3318-3320. 3411, 3412——Witness would have no exemptions except where the master or mate was duly licensed, *Galloway* 4081. 4107, 4108.

Arbitrary and capricious character of the exemptions from compulsory pilotage, *Rep.* iii, v——Considerable doubt and litigation owing to the inconsistent and contradictory character of the various clauses upon the question of exemptions, *ib.* v——The tendency of the courts has been, on the whole, to favour the exemptions, *ib.*——Removal of some of the inconsistencies by means of bye-laws extending the exemptions, *ib.*——Six heads of statutory exemption, as determined by the Merchant Shipping Act of 1854, *ib.* viii.

Complete satisfaction given where exemptions have been extended, *Rep.* xxvii——Great opposition and dissatisfaction if any attempt were made to diminish the exemptions, *ib.*

See also *Anomalies of System. Channel Islands. Clyde The*, I. 5. *Foreign Vessels. Havre. Hull*, I. 3. *Liverpool* II. *Thames The*, V. *Trinity House.*

F.

Falmouth. Small increase in the number of pilots at Falmouth, which is a great port of call, *Sir F. Arrow* 1423——Statement as to the reluctance shown by the Falmouth pilots to keep out at sea, and as to the steps taken by the Trinity House to correct the evil, *ib.* 1652——Advantage if the pilotage were entirely voluntary, *ib.* 1652, 1653——Explanation as to the much smaller number of vessels piloted outwards than inwards, *ib.* 1654-1656.

Unanimous

Report, 1870—*continued.*

Falmouth—continued.

Unanimous decision of the Falmouth Chamber of Commerce in favour of the present Bill, *Fox* 12021–12024. 12048——Safety of the approach and entrance to the harbour, there being no difficulties requiring pilots constantly, *ib.* 12025–12031. 12061–12071——Complaint that under the compulsory system at Falmouth, pilots do not go out of port in bad weather; conclusion that if the pilotage were optional this abuse would not occur, *ib.* 12025. 12032–12039. 12057–12060. 12071–12081.

Large number of vessels which call at Falmouth; expectation that the number will greatly increase, and that there will be increased demand for pilots under a non-compulsory system, *Fox* 12026–12056——Refusal of many captains to take pilots on board, though obliged to pay the charge, *ib.* 12043–12045——Frequent collisions from the mismanagement of the pilots, *ib.* 12046, 12047——Supervision of the pilots adverted to; improvement about being adopted, *ib.* 12071–12075.

Reference by the Committee to the arguments adduced in favour of the abolition of compulsory pilotage at Falmouth, *Rep.* xv.

Farrer, Thomas Henry. (Analysis of his Evidence.)—Is Permanent Secretary of the Board of Trade; had charge for many years of the Marine Department, 1–3——Reference to a certain map as showing, subject to some qualification, the districts where pilotage is compulsory, and where it is non-compulsory, 4, 5——Distinction of the jurisdiction, where the pilotage is compulsory, by means of colours, these colours being red, ochre, brown, and green, 6——Total of 1828 pilots in ports where pilotage is more or less compulsory, and of 1066 in ports where it is entirely free, 7–9.

General tendency of legislation in recent years towards the abolition or modification of the compulsory system; instances of this at Bristol and Newcastle, 11–20. 98–103——Proviso in the Act 12 & 13 Vict. c. 88, exempting from compulsory pilotage under certain conditions; this was not generally acted upon, 16, 17——Provision in the Act 16 & 17 Vict. c. 129, for facilitating the examination of masters of vessels, with a view to their piloting their own vessels within certain limits, 18.

Powers given under Section 332 of the Merchant Shipping Act of 1854, for exempting masters of ships from the compulsory employment of pilots, 19——Explanations in reference to sundry other clauses of the Act of 1854, upon the question of exemption from compulsory pilotage, as regards more especially the case of passenger ships, 20–23——Provision in the Act of 1854 as to the infliction of penalties in the event of failure to employ a qualified pilot under certain circumstances, 20, 21.

Regulations under sections 360 and 361 of the Merchant Shipping Act in regard to unqualified pilots being superseded by qualified pilots, 24, 25——Nature of the facilities under the Act of 1854 for the recovery of pilotage rates when earned, 26——Section 388 of the Act of 1854 adverted to, as exempting the owner from liability where loss or damage arises when pilots are carried under compulsion, 27, 28.

Several instances which have come before the Board of Trade of great hardship upon masters or owners through the method of enforcing compulsory pilotage and payment of the rates, 29–38——Inability of witness to trace before 1812 the exemption of liability of owners where pilotage is compulsory, 39, 40——Existence of compulsory pilotage in the Thames as early as 1716, if not before, 39——Tendency of the courts to establish the non-liability of owners, where pilotage is compulsory, irrespectively of express enactments on the subject, 41–45.

Doctrine laid down by the courts as to the necessity of masters or captains obeying the orders of the pilots, 45, 46——Limitation by the courts of exemption from liability to those cases in which it is clearly proved by the owner that the injury arises through fault of the pilot, 47–49——Effect of the present law, and of recent decisions upon the question of liability, in making it to the interest of the captain not to interfere with the pilot, even though he (the captain) may see that the vessel is going into danger, 50–58.

Case of the "Spindrift" adverted to as illustrating the mischievous operation of the present system of non-liability when a pilot is in charge in a compulsory district, 51. 58——Views of the Elder Brethren of the Trinity House as to the expediency of interference by the master under certain circumstances, 55——Statement showing the grievances complained of by the owners of barges and small craft in the Thames when injury is done by large vessels and steamers under compulsory charge of a pilot; great difficulty of recovery from the pilot, 59–65——Obstruction caused by barges to the navigation, 63.

Very capricious character of the exemptions from compulsory pilotage, 66. 73——Information as to the exemptions in the Thames, 67–73——Unsatisfactory state of the law, as leading to endless litigation, upon the question whether either of two vessels in collision is bound to carry a pilot, and whether the damage is caused by the act of the pilot alone, 73–79——Views of Mr. Dunbar, Mr. Green, and other large sailing-ship owners, in 1860, in favour of compulsory pilotage, 80, 81. 205–210——Further reference to the system of certificates to masters and mates as tending to limit the operation of compulsory pilotage, 81–83.

Report, 1870—*continued.*

Farrer, Thomas Henry. (Analysis of his Evidence)—*continued.*

Decision in Canada that the shipowner is not free from liability though his ship is in charge of a pilot, 84——Explanation relative to the law of the United States upon the question of liability as affected by compulsory pilotage, 84–86——Similar law in Belgium and France as in the United States, 87, 88——Similarity of the North German law to the English law, 89.

Statement showing that the captains and masters in the Navy are held responsible by the Admiralty, notwithstanding that a pilot may be in charge, 89–91——Report of Mr. Lindsay's Committee of 1860 cited as showing the conclusions then arrived at, favourable to a system of voluntary pilotage, 92–95——Explanation as to Mr. Lindsay's Committee having reported that compulsory pilotage may be abolished "in most parts" of the country, instead of "in every part," 94–97.

Great variety of regulations and of exemptions in the different pilotage districts, 104——Great extent of coast comprised in the Trinity House district, the exemptions from compulsory pilotage being exceedingly numerous, 106. 109–113——Distinction between the London district and the out-port district of the Trinity House, as regards the appointment and examination of pilots, 106, 107——Great difficulty as to pilotage in the Bristol Channel, which was ended by Newport, Cardiff, and Gloucester obtaining a Bill doing away with compulsory pilotage, 108.

Details relative to the several classes of pilots working in and out of London, there being seven or eight different classes, licensed or unlicensed; great inconvenience and collision by reason of so many conflicting interests, 114–135——Employment of by far the greater number of pilots in the Thames on work which is not compulsory, 116–128 Large number of watermen who act as unlicensed pilots, 116. 123, 124. 128–130. 133–135——Conflicting applications made to the Board of Trade for the protection of the several classes of Thames pilots, 130–133.

Exemption of coasters under 100 tons from compulsory pilotage, under the Liverpool Pilotage Act, provided they have been in the coasting trade for six months, 136, 137 Letter from Mr. Steele, of Liverpool, to the Board of Trade, complaining in strong terms of the compulsory pilotage regulations in the case of coasters which within six months have been a foreign voyage, 137, 138——Satisfaction of the Liverpool shipowners generally with their pilotage system; great dissatisfaction, on the other hand, of the steamship owners, 138, 139. 141–143.

Discussion at the Mersey Docks and Harbour Board in June 1868, upon the subject of the negligence of pilots, and their liability, 139, 140——Conclusions of the Liverpool steamship owners in favour of the abolition of compulsory pilotage, 142. 156——Arrangement in 1856 between steamship owners at Liverpool and the Pilotage Commissioners, whereby the former agreed to pay reduced pilotage rates on being relieved from the obligation to take a pilot, the owners being liable in case of damage, 143–146.

Information in detail upon the subject of the grant of certificates to the masters and mates of steamships or passenger ships at Liverpool; correspondence on this matter between the Mersey Docks and Harbour Board and the Board of Trade, 146–155——Very restricted action of the Liverpool pilotage authorities in granting or renewing certificates; contrast as compared with London, Hull, and Glasgow, 151, 152. 154, 155.

Limitation of compulsory pilotage in the Clyde to that part of the river between Greenock and Glasgow, 157. 161——Exemption in the Clyde of all vessels under 100 tons, 158, 159——Total of 133 masters and mates licensed for pilotage in the Clyde, 160.

System of compulsory pilotage at Dublin; objection made by the Board to a Bill in 1869, for extending the limits of the compulsory district, 162–164——Objection raised by the shipowners of Maryport and Workington to compulsory pilotage in the Dublin district, 165——Inaccuracy of certain conclusions of the Dublin Ballast Board as to the responsibility in the case of passenger steamers between Kingstown and Dublin, to which compulsory pilotage was applied, 166.

Very liberal action of the pilotage authorities in the Humber, in the matter of certificates, 167–169——Petition received at the Board of Trade from Goole, complaining of compulsory pilotage in the Humber, and suggesting sundry amendments, 170–172——Views of the majority of the Hull pilots as to the objections to which the present system is open, 173——Total of sixty-eight or sixty-nine pilots at Hull, 174.

Further statement relative to the abolition of compulsory pilotage as regards Gloucester, Cardiff, and Newport, whilst it continues in force as regards Bristol; satisfaction of shipowners and pilots of the former places under the voluntary system, 175–186——Careful inquiry by a Committee of the House of Commons before Gloucester, Cardiff, and Newport were freed from the compulsory system, 176. 212——Conclusion as to voluntary pilotage being equally effectual for Bristol as for Gloucester or Cardiff, 187.

Discontinuance of the examination of masters and mates by the Board of Trade, 188——Letter from Galway complaining of compulsory pilotage, 188. 194——Illustration at

Report, 1870—*continued.*

Farrer, Thomas Henry. (Analysis of his Evidence)—*continued.*

at Cork of the satisfactory operation of the voluntary system, 189–192——Practice of the pilotage authorities in voluntary districts, as well as in compulsory districts, to limit the number of pilots, 194–202.

Summary of reasons for the abolition of compulsory pilotage, 203——Important considerations which weaken the argument arising from the fact that a large number of shipowners are in favour of the compulsory system, 203. 211——Great change since 1860 in the views of the shipowners, some of the largest shipowners in London approving of the present Bill, 204–211.

Several instances of voluntary ports where the staff of pilots is as ample and efficient as in compulsory ports, 211——Absence of any desire for change, or of any complaint of want of pilots where voluntary pilotage is in force, 213–215——Equal security of life and property in voluntary ports as in compulsory ports, 216.

Conclusion arrived at by the underwriters of Lloyds in favour of the abolition of the compulsory system, 217, 218——Reference to a letter from the Secretary of Lloyd's, to the effect that premiums would not be increased by the abolition of compulsion, 219.

[Second Examination.] Important change of opinion on the part of the Trinity House relative to the question of exemption from compulsory pilotage; feeling now in favour of an extension of the exemptions, 221, 222. 461——Letter recently received at the Board of Trade from the General Shipowners' Society of London, showing that the large sailing-ship owners of London are now favourable to the principle of abolition of compulsion, 223. 407–409——Letter from the Secretary of Lloyd's quoted as showing the opinion of the Committee of Lloyd's that the time had arrived for abolishing compulsory pilotage, 224.

Memorial from the Leith Chamber of Commerce adverted to as being entirely in favour of free trade in pilotage, 225——Great satisfaction given by the voluntary system at Dundee; very complete regulations in force there, 225. 238——Petition received from the United Associated Chambers of Commerce in favour of abolition of compulsion, 225–227.

Primary object of the present Bill to remove the obligation upon the ship to employ a pilot, 229——Effect of the Bill that the compulsory districts will be placed in the same position as the non-compulsory districts in regard to the licensing and control of the pilots by the local pilotage authorities, 229–238——Explanation relative to the effect of Clause 2 of the Bill in regard to compensation, if within a given period it can be shown that the demand for pilots has fallen off, and that it is necessary to reduce the number, 239–242.

Belief that safety of life, as involved in the safety of the ship, will be better protected under a voluntary than a compulsory system, 243–245——Probability of compulsory pilotage having been originated in the days of guilds, 246. 659–661——Origin of the system in Liverpool adverted to, 247–249——Expediency of the responsibility for the protection of life resting with the shipowners, who are better judges than Government of what is required, 250, 251.

Further reference to a certain clause of the Act of 1854 as having been intended chiefly to encourage the examination of masters and mates as pilots, 252–255——Absence of interference on the part of the Board of Trade, in order to enforce the obligation to take a pilot, 256——Inconsistency of modern legislation on the question of compulsory provisions generally for the protection of life, 257, 258——Explanation as to the omission from the Merchant Shipping Bill now before the House, of the provision in the Merchant Shipping Act requiring home-trade passenger ships to take pilots, 259–263.

Evidence of Mr. Thomas Eustace Smith before the Committee of 1860 adverted to as showing his views in favour of compulsory pilotage, 264–269——Approval of a voluntary system, irrespectively of the question of liability, 270, 271——Reasons for the abandonment by the Board of Trade of the principle that pilotage, being for the benefit of all, should be contributed to by all; it is now proposed that only those who use pilots shall pay, 272–279——Denial that, as regards light dues, a different principle is laid down as compared with the course proposed respecting payment for pilotage, 280–291.

Compulsory operation of the present law, even though, under the Merchant Shipping Act, masters and mates have been largely licensed in some ports, 292–299——Circumstance of there being only ten masters and mates licensed at Liverpool; reference hereon to the great reluctance of the owners of steamships in the Mersey to have their masters and mates examined, 297. 300–306. 317. 670——Date of creation and mode of constitution of the Mersey Docks and Harbour Board adverted to with reference to the part taken by the Board as the local pilotage authority, 307–317.

Opinion that the voluntary system will prove just as efficient at one port as another, as the supply will be in proportion to the demand, 318. 324–338——Contemplated regulation by the local authority, as at present, of the supply of licensed pilots in reference to

Report, 1870—*continued.*

Farrer, Thomas Henry. (Analysis of his Evidence)—*continued.*

the demand, 319-323——Efficiency of voluntary pilotage in the Severn further adverted to; increased earnings of the Cardiff, Newport, and Gloucester pilots, whilst the Bristol pilots have suffered, 326. 332-334. 336-338. 486-488. 567-576——Considerable difficulty of a portion of the Tyne pilotage, 335——Control of the Board of Trade in voluntary districts adverted to with reference to the inaccurate returns received, as from Sunderland, 339-342,

Small number of vessels going to Runcorn which are, apparently, subject to compulsory pilotage, 343-346——Conclusion that the pilotage of the Thames is fully as difficult as that of the Mersey, 347, 348——Testimony borne by Admiral Evans to the efficiency of the pilotage service of the Mersey, 349-352——Letter from Mr. Forwood, containing sundry objections to the operations of the compulsory system in the Mersey, and advocating a system of freedom and competition, 352, 353.

Further explanation that the present Bill is intended mainly to remove the obligation to take a pilot, and does not necessarily establish absolute free trade, as regulations and restrictions may still be imposed by the local pilotage authorities, 354-363——Practice of some of the large steamers out of Liverpool in regard to holding the master responsible as well as the pilot, 364, 365——Entirely public character of the Mersey Board, whereas it is opposed to voluntary pilotage, 366-368——Inexpediency of any exceptional legislation for Liverpool, notwithstanding the satisfaction given generally by the compulsory system, 369-373.

Circumstance of the Bill contemplating a possible decrease in the number of pilots, 374-376——Examination as to the probable effect of the Bill in regard to the earnings of the Liverpool pilots, and as to the claim of these to compensation; way in which it is proposed to compensate them, should the necessity arise, 377-422. 479-485——Question considered whether, under the Bill, there would be any increased power of selection of pilots by the ships, 424-438.

Further statement as to the sinking of barges in the Thames by ships in charge of pilots, and as to the grievance through the latter not being able to pay the damages, 439-448——Opinion that uniformity of the law of liability cannot be secured short of the abolition of compulsory pilotage, 449-452——Representative character generally of the pilotage boards in districts where the pilotage is free; instances also of representative boards in compulsory districts, 453-461.

Practice at Dundee as to the supply of pilot cutters at sea, the pilotage being voluntary, 462-464——Approval of entrusting the pilotage authorities with the regulation of the number of apprentices, 465-468——Power of the pilotage authorities to require employment of pilots in turn, 469-471——Approval of regulations as to the distribution of earnings, as at Dundee, 472-476.

Further evidence as to the advantage of enlarged liability in the shipowner, without undue supervision or control by Government; liability of railway companies adverted to hereon, 489-493. 551-558. 601-608——Doubt as to its being practicable to abolish existing anomalies, short of an abolition of compulsion, 492-494——Improvement if the master of the ship were required by law to interfere if he saw that danger was being incurred by the pilot, 495. 615, 616——Varying rules at different ports as to the selection of licensed pilots, 496.

Satisfactory administration by the Pilotage Commissioners of Hull, 500-505. 514-519——Further reference to the very liberal action of the Hull Trinity House in the granting of certificates to masters and mates after examination, 506-513——Admission as to the claim of the Hull pilots to compensation, if their case is similar to that of the Liverpool pilots, 520-525——Willingness of Government to reconsider the question of not granting compensation until after two years' operation of the proposed Act, 526, 527. 679, 680.

Explanation of the provision in the Bill as to unlicensed pilots being subject to penalties under certain circumstances, 528-530——Absence of communication from Hull to the Board of Trade, either in approval or disapproval of the Bill, 531-533——Power of local pilotage authorities to increase the rates in winter, provided they do not exceed the maximum rates under their separate Acts, 534, 535.

Concurrence in the view that uniformity throughout the kingdom should as far as possible be adopted, the present Bill being a substantial instalment of what is required, 536-543——Distinction between Admiralty vessels and private vessels, the former not being obliged to take pilots, 544-547——Exemption of the owner from liability adverted to as a logical consequence of the compulsory employment of a pilot, 548-550.

Important distinction between the question of compulsory payment for lights and for pilots, 559-566——Operation of compulsory pilotage in the narrow part of the Clyde adverted to; probability that efficient pilots would be equally employed, and that the damage done would be equally limited under a voluntary system, 577-590——Exception taken to a pilot's idemnity fund as a means of compensation for injuries or losses, 591, 592. 655-658.

Report, 1870—*continued.*

Farrer, Thomas Henry. (Analysis of his Evidence)—*continued.*

Improbability of any large increase in the number of pilots in the first two years after the passing of the Bill, 594, 595——Feeling of many shipowners in favour of pilots being allowed to cruise at a long distance from the ports, 596-597——Very harsh mode of enforcement of penalties against owners further adverted to; this, however, is not a necessary consequence of a compulsory system, 598–600. 632-640——Conclusion that under the voluntary system ships are very unlikely to be over-insured, and to be intentionally lost, there being no pilot on board, 601, 602. 617, 618——Frequent instances of claims against owners for compensation in respect of loss of life, 603, 604.

Obstacles to any satisfactory return of the comparative losses in compulsory and in non-compulsory districts, 609–611——Doubt as to the voluntary system in the Tyne having been the cause of a large excess of pilots, 612, 613——Belief that pilots will be just as much employed if compulsion be abolished, and that the relation between employer and employed will be much more healthy, 614.

Witness further contends that safety of life will be equally secured under a voluntary system, 619–622——Further statement as to the obstacle to securing liability in the owner concurrently with the obligation to take a pilot; removal of some ground of objection if this could be done, 623–631. 654——Case of the "Spindrift" further adverted to; suspension of the pilot by the Trinity House, 641–648——Further reference to the amount of losses incurred by barge-owners on the Thames through inability of pilots to pay the damages, 650–654.

Less satisfactory state of things in the Severn if the increased employment of pilots had taken place under a compulsory system, 662-666——Obligation upon the masters of home-trade passenger ships to undergo an examination; difficulty, however, in the case of a pilotage examination, 667-670——Expectation that there will be no difficulty through pilots not being in attendance when wanted, 671-675——Probability of the same pilots being still employed, the chief or only difference being that the employment would be voluntary, 676-678. 681-683.

[Third examination.] Statement in further support of the conclusion that safety of life may best be provided for by not interposing compulsory regulations interfering with the responsibility of owners, 684–686——Absence of analogy between the compulsory examination of masters and mates and compulsory pilotage, 686–688——Admission as to there being anomalies or different regulations for different ports, not removed or dealt with by the Bill, 689–693.

Expediency of applying generally by legislation the principle of liability of shipowners, instead of leaving it to the several local authorities to act as they please in the matter, 694-699. 852——Absence of hardship in compelling an owner to employ a licensed master or mate, whereas it is a hardship to compel him to employ a pilot, 700–704——Further evidence as to the peculiar hardship of the mode of enforcement of penalties for non-employment of pilots; amendment desirable, 705–709. 812, 813. 937–940.

Special consideration necessary to be given to the case of the Liverpool pilot-boats, and the compensation or superannuation of the owners, 710–713. 829. 991–997——Expediency of a check in the Treasury and the Board of Trade as to the number of pilots to be superannuated by the pilotage authority of Liverpool, if the Bill be passed, 712. 719–723. 765–768. 829——Views of Mr. Forwood and of Captain Graham Hills; also report of the Pilotage Commission of 1836, cited as showing the mischievous operation of the Liverpool pilot-boat system; conclusion as to the importance in any case of abolishing the system, 713–718. 998–1000.

Abundance of pilots expected to be found wherever there is a demand for them, under a voluntary system, 724. 729——Decrease in the trade of Bristol, and increase in the trade of Cardiff adverted to as sufficient to account for the decrease of pilots in the former case and the increase in the latter, 725–729——Circumstances under which the Board of Trade formerly granted some pilotage licenses at Liverpool without an examination; advantage of practical proof of efficiency as compared with a theoretical examination, 730–737.

Grounds for the conclusion that though the pilotage service of Liverpool may be very dangerous, an ample supply of pilots will be in attendance when required, and if properly paid, 738–743. 756–759——Further statement as to the difficulty experienced relative to the examination of masters and mates by the Mersey Board, 744–747——Action expected to be taken by local authorities on the question of licensing a greater or less number of pilots, when compulsion has been abolished, 748. 972–981——Opinion as to the necessity of fixing the rates at each port, 749, 750. 936. 980, 981.

Uselessness of attempting to retain compulsory pilotage concurrently with an abolition of the immunity of the ship, 751, 752. 852——Evidence of Mr. Dunbar before the Committee of 1860, further adverted to, 753–755——Expectation that pilots will show greater zeal under the voluntary system, 756, 757. 769. 782–788. 887——Further reference to the change of opinion on the part of the Trinity House in the direction of increased exemptions, 760–764.

Report, 1870—*continued*.

Farrer, Thomas Henry. (Analysis of his Evidence)—*continued.*

Statement as to complaints not coming before the Board of Trade relative to the incapacity or misconduct of pilots, 769–771——Opinion that a voluntary system may be adopted between Glasgow and Greenock as well as below Greenock, 772–781——Advantage of captains not having the inducement which they now have to neglect the navigation of their ships, 782 ——Inadequate supply of licensed pilots for all the vessels which want pilots in the Thames; facility with which any deficiency may be supplied by the Trinity House, 789–795. 818.

General practice of vessels in the upper waters of the Thames to take pilots, 796–798 ——Belief as to the greater difficulty of the pilotage into London than into Liverpool, 799, 800——Conclusion further expressed that the safety of ships will not be prejudiced by the abolition of compulsory pilotage, 802–804——Anxiety of owners to retain compulsory pilotage as exempting them from liability, 805——Change of opinion on the part of Mr. Eustace Smith on the question of compulsion, 806–808——Question of liability further considered with reference to the risk of collision with barges in the Thames, 809. 849–856.

Remedy of the shipowner against the pilot under the proposed abolition of compulsion, 810, 811——Non-interferenceof the Bill with the watermen of the Thames; question of their being superseded by the licensed pilots adverted to, 814–819——Less danger in pilotage waters through the improved buoyage, &c., 820, 821——Reasons for steamship owners preferring that their vessels should be in charge of their own masters, 823, 824 ——Ample power of insurers to protect themselves on the score of pilotage; practice in some cases for the underwriters to require a clause in the policy of insurance to the effect that a pilot must be employed, 825, 826. 877. 948–963. 1024.

Material object of the Bill to get rid of existing anomalies, 830–833——Circumstance of the ship being liable in the United States although there is compulsory pilotage, 834–839 ——Important distinction in principle between the obligation to take a pilot in any case and the obligation to take one of a particular class, if one be taken at all, 840–847—— Facility with which the Board of Trade might require some local knowledge in masters and mates in granting them certificates, 857–860.

Probability of pilots being as much employed voluntarily as compulsorily, 861–864—— Effect of the voluntary system as regards the employment of pilots in the Bristol Channel, further adverted to; satisfactory working of the system, 865–872——Exception taken to the Government inspection of boilers, with reference to the questions of liability and of safety, 873–875——Doubt as to the safety of ships being jeopardised in order to save the pilotage rates, the small owners complain much of the burden of the rates, 876–880.

Complaints from Runcorn and the Upper Mersey districts as to the obligation to pay pilotage rates on entering the port of Liverpool, 878–882. 1020–1022——Limitation of the amount of insurance in some foreign countries, in order to prevent risk being run, 883. 1025, 1026——Objection to any local exceptions from the Bill, 884–886—— Doubtful effect of the clause in the Merchant Shipping Bill as to the limit of the liability of pilots, 888.

Further consideration of the position and claims of the free watermen of the Thames with reference to pilotage between London and Gravesend; extent to which they may have a claim to be licensed so as not to be superseded by the licensed pilots, 890. 946 *et seq.*——Insufficiency of the licensed pilots above Gravesend; special and exceptional circumstances of this part of the pilotage, 890 *et seq.* 1023——Probable advantage if the rates of the watermen between London and Gravesend were fixed, 936.

Entire inaccuracy of a report that the present Bill originated in the case of the "Spindrift," 941–945——Question as to the views of the present nautical adviser of the Board of Trade with reference to the principle of the Bill, 964–970.

Statement as to the law implying in some cases that there is a condition in the policy of insurance as to employment of a pilot, 982–984——Increased facility of fixing the rates under a voluntary system, 985, 986——Facility also as to restricting the number of licensed pilots with reference to the demand, 987–990——Objection of steam-tug owners to undertake the responsibility of piloting ships; question hereon as to the licensing of tug owners as pilots, 1001–1014.

With regard to a certain deputation of barge-owners to the Board of Trade, sailing barges, and not mere lighters, were represented on this occasion, 1016–1019——Question whether the same exceptional circumstances are not involved in the case of the upper Clyde as of the upper Thames, 1027——Interest of money of the licensed pilots of the Thames in steam-tugs; proposal at one period by the Trinity House for prohibiting the pilots from owning tugs, 1028, 1029.

Ford, Thomas. (Analysis of his Evidence).—Is a shipowner and merchant of Swansea, and is one of the harbour trustees, 7155–7159——Complaint sometimes made at Swansea as to the pilotage district not going as far as Lundy, 7160–7162——Similar charge from Lundy as from Helwick, the limit of the district, 7162, 7163——Satisfaction felt at Swansea with the working of the present pilotage system of the port, 7164. 7177—— Very difficult and exceptional character of the entrance to Swansea harbour and docks,

Report, 1870—*continued.*

Ford, Thomas (Analysis of his Evidence)—*continued.*

so that the obligation to take a pilot is essential to prevent disaster, 7165–7177. 7201 *et seq.*

Opinion that compulsory pilotage is not necessary from Helwick, but only from the Mumbles, 7175. 7196–7206 ——Grounds for condemning the law of immunity of the owner when there is a compulsory pilot on board, witness contending that the pilot should never supersede the captain, 7178–7195. 7241–7245——Adequacy of voluntary pilots for some ports, each port being the best judge of its own requirements, 7196, 7197. 7246. 7249.

Probability of many vessels for Swansea not taking pilots in fine weather, under a voluntary system, and of their not being able to obtain them in bad weather, 7210–7240. 7246–7248——Objection formerly by Cardiff, Swansea, and other ports to their vessels being liable to be boarded by the Pill or Bristol pilots, 7250–7252.

Foreign Countries. Circumstance of there being compulsory pilotage in nearly all foreign countries, Turkey and Russia being exceptions, *Robinson,* 12815–12822. 12849–12851.

See also *Liability,* 3.

Foreign Vessels. Most foreign vessels have, practically, been exempt from compulsory pilotage since the Reciprocity Treaty Act, *Farrer* 102 —— Obstacle to a selection of pilots by foreign ships inwards, the system of examination and license being most useful in such cases, *Castle* 7719–7722——Importance of compulsory pilotage in the case especially of large and foreign-going ships *Tillman* 7754–7756. 7798; *Taylor* 7946. 7992. 8058. 8150. 8162, 8163——Probability of most foreign vessels taking pilots in the Thames under any system, *Tillman* 7834–7838.

Circumstance of foreign vessels in non-compulsory waters generally taking a pilot as a matter of course, *Rep.* xxiii.

See also *Bristol and Bristol Channel. Clyde, The. Compulsory Pilotage. Dublin. Hull. Liverpool. Thames, The. Voluntary Pilotage.*

Forwood, Mr. Letter from Mr. Forwood containing sundry objections to the operation of the compulsory system in the Mersey, and advocating a system of freedom and competition, *Farrer* 352, 353.

Fox, Howard. (Analysis of his Evidence.)—Unanimous decision of the Falmouth Chamber of Commerce in favour of the present Bill, 12021–12024. 12048——Safety of the approach and entrance to Falmouth Harbour, there being no difficulties requiring pilots constantly, 12025–12031. 12061–12071 —— Complaint that under the compulsory system at Falmouth, pilots do not go out of port in bad weather; conclusion that if the pilotage were optional this abuse would not occur, 12025. 12032–12039. 12057–12060. 12071–12081——Large number of vessels which call at Falmouth; expectation that the number will greatly increase, and that there will be increased demand for pilots under a non-compulsory system, 12026–12056——Supervision of the pilots adverted to; improvement about being adopted, 12071–12075.

France. Views of the Commission appointed in France in 1866 upon the question of compulsion and of owners' liability; conclusion as to the owner deriving no protection under the French law through there being a pilot on board, *Squarey* 2430–2435—— Compulsory system in operation in France; belief that the underwriters there are moving for a non-compulsory system, *Josse* 12117–12122. 12172–12180.

Report by M. Treite explanatory of the state of the law in France in regard to the liability of shipowners for damage caused by their vessels when in charge of pilots whose employment is compulsory, *App.* 525, 526.

Free Trade. Explanation that the present Bill is intended mainly to remove the obligation to take a pilot, and does not necessarily establish absolute free trade, as regulations and restrictions may still be imposed by the local pilotage authorities, *Farrer* 229. 319–323. 354–363.

Opinion that compulsory pilotage or absolute freedom as to rates are the only alternatives, *Danson* 3171–3173——Grounds for the conclusion that the promoters of the Bill are false to the principles of free trade; that is, as regards the proposed restriction upon the number and pay of the pilots, *Lamport* 3622–3625. 3637–3640. 3702–3707——Witness would prefer free trade with all its disadvantages to the system proposed by the Bill, *ib.* 3637–3640.

Objection to a perfectly free system; unfairness, however, of compulsory regulations unless the pilots have freedom as to rates, *Galloway* 4087–4089. 4105——Approval of perfect freedom in the matter of pilotage, the Bill, however, not going to this length, *Duncan* 9620–9640.

Evidence opposed to the view that the licensing of pilots, concurrently with a restriction upon the rates, is a departure from the principles of free trade, *Leyland* 9999–10005.

Report, 1870—*continued.*

Free Trade—continued.

10024–10030. 10044–10047. 10219–10226—— Opinion that pilotage should be free not only at Liverpool but generally round the coast, *Johnson* 11312–11314——Larger extent of freedom contemplated by witness than is proposed by the bill, *Robinson* 12828–12831. 12911–12932.

See also *Licensed Pilots.* *Rates.* *Voluntary Pilotage.*

G.

Galloway, Robert. (Analysis of his Evidence.)—Is one of the four nominee members of the Mersey Docks and Harbour Board, being nominated by the Conservancy Commissioners, 4051–4056——Very complete superintendence exercised by Admiral Evans, as the Acting Conservator of the Mersey, 4057–4063——Opinions recorded by Admiral Evans as to the great importance of compulsory pilotage in the Mersey, and as to the efficiency of the service, 4064–4066.

Circumstance of eleven out of twelve members of the Pilotage Committee being strongly in favour of retaining the present system, 4067, 4068——Almost universal satisfaction given by the system, 4069, 4070——Careful investigation of complaints against individual pilots, offenders being duly punished, 4071–4073 — Opinion that voluntary pilotage may be preferable to compulsory pilotage for some ports, but would be altogether inadequate in the case of Liverpool, and would not secure a proper supply of pilots for inward bound vessels in bad weather, 4074–4078. 4082–4088. 4100 *et seq.*

Admirable working of the system of pilot stations, 4078——Opinion in favour not only of compulsory payment by all vessels for pilotage, but of compulsory employment of pilots, when there is not a licensed master in charge, 4079–4081. 4094–4099. 4107, 4108 — Objection also to a perfectly free system; unfairness however of compulsory regulations unless the pilots have freedom as to rates, 4087–4089. 4105.

Grounds for the conclusion that there should not be immunity of the owner by reason of compulsion to take a pilot; opinion that the latter should act only as an adviser and should not supersede the captain in his command, 4090–4093. 4109–4111. 4116–4120 ——Tendency to a diminution of collisions if the immunity of the owner from liability were abolished, 4092. 4141–4161.

Peculiar danger of the access to Liverpool, so that a voluntary system would not answer there as in other ports, 4106. 4125–4129——Very moderate pilotage rates at Liverpool; necessary increase of these under a voluntary system, 4112–4115——Expectation that the employment of pilots would fall off chiefly in fine weather, if pilotage were optional, 4129–4140.

Galway. Letter from Galway complaining of compulsory pilotage, *Farrer* 188. 194.

Glasgow. See *Clyde, The.*

Gloucester. See *Bristol and Bristol Channel,* II.

Goole. Petition received at the Board of Trade from Goole, complaining of compulsory pilotage in the Humber, and suggesting sundry amendments, *Farrer* 170–172.

Practice as to pilotage between Hull and Goole, there being branch pilots for the service, and the rates not causing complaint, *Bannister* 5642–5652——Very heavy pressure of the pilotage rates upon small vessels trading to Goole, *Josse* 12109–12111 —— Difficulty of the navigation up to Goole and Gainsboro', the compulsory pilotage, however, being a great tax upon trade, *Oates* 12231–12239.

See also *Hull.* *Knottingley.*

Graves, Mr. (*Member of Committee.*) Special Report proposed by Mr. Graves; conclusions therein adverse to the proposed abolition of compulsory pilotage, *Rep.* lxvii–lxx —— Adoption, in lieu of the foregoing, of the Special Report proposed by the Chairman of the Committee, *ib.* lxx, lxxi.

Gravesend Pilots and Pilot Station. See *Thames, The.*

Greenock. See *Clyde, The,* II.

Grimsby. Belief as to Grimsby being opposed to interference with the present compulsory system, *Bannister* 5653–5656.

The pilotage of Grimsby is under the Hull district, *Josse* 12082–12084——Compulsory pilotage at Grimsby on all foreign-going vessels, coasters to English ports being alone exempt, *ib.* 12085–12090. 12107, 12108. 12146, 12147——Liability of the merchant who clears the ship for the pilotage, *ib.* 12085. 12163, 12164.

Very easy access to Grimsby, there being no necessity for imposing pilotage compulsorily,

Report, 1870—*continued.*

Grimsby—continued.

sorily, especially in the case of small vessels, upon which the charge presses very heavily, *Josse* 12087 *et seq.*——Employment of twelve pilots, the charge coming to between 4,000 *l.* and 5,000 *l.* a year, *ib.* 12091, 12092——Complaint as to half the pilots' earnings being disposed of by the Hull Commissioners; particulars hereon as to the expenses defrayed by the latter, *ib.* 12092. 12101. 12112, 12113. 12124–12145.

Expectation that under optional pilotage there would still be considerable employment for pilots at Grimsby, and that those who are efficient and zealous would make a good living, *Josse* 12099–12103. 12115, 12116. 12123–12131. 12161, 12162——Belief that, instead of seven pilot cutters at Grimsby, three would suffice, *ib.* 12138, 12139. 12165–12171.

Witness, who is agent for Lloyd's at Grimsby, and is a shipowner there, concurs in the evidence of Mr. Josse, *Oates* 12181–12184——Want of local control over the pilots at Grimsby, *ib.* 12197——Very efficient services of some pilots on the voluntary system, *ib.* 12202–12209. 12214–12218——Unduly expensive management expenses at Hull in connection with the Grimsby pilots, *ib.* 12211–12213.

See also *Hull.*

H.

"*Halley*" *The.* Judgment of the Admiralty Court in November 1867 upon the question of the liability of the owner of the "Halley" for damage done to a Norwegian brig in Flushing Roads, *App.* 522–524.

Harvey, John. (Analysis of his Evidence.)—Has had twenty-four years' experience as a Humber pilot, 6287, 6288——Concurs in the evidence of Mr. Brewis, 6289–6293. 6299, 6300——Regret expressed by some of the Humber pilots in regard to their having signed a certain letter in favour of the Bill, 6294 6298——Very satisfactory working of the pilotage service, 6301, 6302.

Probability of witness's employment by foreign vessels falling off very much if they were not subject to compulsory pilotage, 6303–6323——Dissent from the conclusion that the expense of the service could be curtailed, 6326–6328——Practice as to division of the pilots' earnings, this being the cause probably of the discontent expressed by the younger men, 6329–6336.

Havre. Exemption of coasters and small vessels from compulsory pilotage at Havre, *Squarey* 2458, 2459.

Henderson, Thomas. (Analysis of his Evidence.)—Is partner in the firm of Handiside and Henderson, and is a member of the Glasgow Pilot Board, 4890–4895——Statement that the pilotage of the Clyde is only compulsory above Newark Castle, though the practice is to take pilots between the tail of the bank and Glasgow, 4896–4898——Belief that the abolition of compulsory pilotage would make the Clyde an impracticable navigation, 4899——Practical experience and intimate knowledge of the river required in the pilots, before they are licensed, 4900–4903.

Details relative to the tortuous, narrow, and dangerous character of the navigation, whilst the traffic on the river is enormous, so that the use of pilots is an absolute necessity, 4904 *et seq.*——Belief that the abolition of compulsory pilotage would greatly increase the risk, and would deter many owners from sending their ships up to Glasgow, 4930–4938. 5148–5151. 5161–5177——Conclusion, that under a voluntary system there would not be the same certainty of employment or remuneration, and that the pilots would no longer be of the same efficient class, 4935. 5023–5025. 5050–5062. 5097–5109. 5183–5187.

Feeling of the larger shipowners of Glesgow in favour of compulsion, 4939. 5188–5191——Large number of pilotage certificates granted to masters in the Clyde; qualifications required, 4940–4943. 5142–5147——Very exceptional character of the river above Greenock, so that exceptional arrangements are necessary, 4944–4962. 4990–5007——Approval of non-compulsory pilotage round the coast generally, with the exception of Glasgow, Liverpool, Bristol, and Hull, 4958–4962. 5028, 5029. 5136——Objection to masters as pilots for large ships in the Clyde or Mersey, 4963–4966.

Hardship in making owners responsible when there is a compulsory pilot on board, 4967–4971——Expediency of as much uniformity as possible in the pilotage system round the coast, 4972–4979——Improvement if there were a licensing pilotage authority for the Trinity House district, distinct from the administrative authority, 4980–4989——Respects in which a voluntary system may be more suited to the Bristol Channel and to Gloucester than to the Clyde, 5008–5022. 5152–5160. 5197–5206.

Statement as to the very inefficient character of the non-compulsory pilots below Greenock as compared with the efficiency of the compulsory pilots above Greenock; strong

Report, 1870—*continued.*

Henderson, Thomas. (Analysis of his Evidence)—*continued.*

strong objection on this ground to the voluntary system, 5023–5027. 5047–5070. 5110–5114. 5130–5135. 5178–5187——Varying practice in the Clyde as to the degree of control exercised by the pilot; impression that the latter, rather than the master, should be the one to act in case of emergency, 5031–5043.

Belief as to the more careful navigation of large ships than of small ones, 5044–5046——Inefficiency of masters as pilots in the Clyde, unless they know the river thoroughly, 5071–5085——Inadequate supply of pilots for the Tyne and Wear during the winter months, 5086–5091——Great care required in the navigation of steamers in the Clyde, 5092, 5093——Necessity of a pilot when a steam tug is employed, 5094–5096. 5116–5122——Need for a system of police or compulsory pilotage in the Thames, 5097–5100. 5123–5129.

Probability of many vessels not taking pilots in the Clyde, unless compelled to do so, 5101–5109. 5184–5187——Mode of election to the Pilotage Board, commerce and shipping being duly represented, 5137–5141——Great liability to the navigation being stopped through vessels grounding, the exemptions from pilotage increasing this danger, 5161–5177——Reason for the coasting-ship owners not objecting to the Bill, 5196——Large experience of witness, without having found the voluntary system really efficient in any place, 5201–5204.

Hills, Captain Graham Hewitt, R.N. (Analysis of his Evidence.)—Is Marine Surveyor to the Mersey Docks and Harbour Board, and is one of the examiners of pilots, 2649–2654——Information in detail relative to the shifting character of the channels of the Mersey, and the dangers generally of the navigation; conclusion that the navigation is more difficult and dangerous than that of the Thames, Bristol Channel, or any other place in the kingdom, 2655–2671. 2676. 2691–2721. 2743–2762. 2778. 2797–2805. 2891–2901. 2908–2914——Particulars as to the frequent surveys of the Mersey by witness, and as to the steps taken to utilise the knowledge acquired; practice as to surveys in the Thames adverted to hereon, 2658, 2659. 2668. 2672. 2885–2890. 2915–2923.

Excellence of the system of pilot stations in the Mersey; belief that without them there would be nothing like the same efficiency or security, 2673–2676——Opinion that under voluntary pilotage or under a free system, it would be impossible to maintain and carry out the excellent regulations now so efficiently enforced, and that pilots would often not be found when most wanted, 2677–2685. 2722. 2806. 2855–2863——Absence of analogy between Queenstown and Liverpool as regards the question of a voluntary system, and of an adequate supply of pilots, 2686–2690. 2813–2825. 2833——Absence of analogy also between the circumstances of the Bristol Channel and of the Mersey, 2691–2705.

Reference to the Tyne ports and certain other ports as comparatively free from difficulty, so that voluntary pilotage may well answer in them, 2706–2716——Inadequacy of harbour regulations and instructions as a means of obviating the employment of pilots at any time before getting into dock at Liverpool, 2717–2722——Result of witness's experience that he knows no port where the pilotage system has so effectually met the necessities of shipping as at Liverpool, 2723.

Great misgiving with which witness views the attempt to apply voluntary pilotage in the Mersey; belief that such system would render life and property more insecure, 2724, 2725. 2741, 2742. 2779——Belief as to the unwillingness of owners at Liverpool to send up masters and mates for pilotage examination, as tending to interfere with the immunity from liability now enjoyed, 2726–2737——Very different examination at Liverpool of the pilots and of masters for pilotage certificates, 2732, 2733. 2739, 2740——Ready facilities given for the examination of masters, 2738.

Necessary increase of pilotage fees in the Mersey if the boats only went out in bad weather, 2763, 2764——Obstacle to the proper training of apprentices, unless the boats went out in fine weather, 2765–2768——Belief that a voluntary system would not secure the same efficient boats as the compulsory system, 2769–2776. 2785, 2786——Statement as to the Mersey Board and the Pilotage Committee having no interest whatever in the pilotage, 2780–2784.

Expediency of the master having full control or command when a pilot is on board, though he cannot be expected to know all the dangers of the navigation, 2787–2789——Large number of vessels in the Mersey which do not take pilots, and do not require them, 2790, 2791——Difficulties in the way of accepting tug boats as pilots, 2792–2796——Grounds for concluding that the employment of pilots would greatly fall off under the Bill, and that many masters and owners would run risks for the sake of saving the pilotage charge, 2806–2834. 2902.

Exceptions taken to the view that the experience of pilotage in the North Channel of the Thames is an argument in favour of voluntary pilotage in the Mersey, 2835–2863——Statement as to the compulsory pilots generally leaving outward-bound vessels at the bell buoy, and as to there being two boats with voluntary pilots available beyond that

Report, 1870—*continued.*

Hills, Captain Graham Hewitt, R.N. (Analysis of his Evidence)—*continued.*

that point, 2864–2884——Probability of the foreign-going vessels from Liverpool being usually insured, and of their taking pilots in any case on account of the conditions of insurance, 2902–2907——Limited qualifications required in piloting between Gravesend and London, 2924–2928.

Absence of any supply of unlicensed pilots at Liverpool, or along the coast to Port Linas, 2929–2938——Practice of some inward-bound ships to take voluntary pilots in the Irish Channel, and to bring them on to Liverpool in addition to the compulsory pilots taken at the Bell Buoy, 2939–2950——Explanation in regard to the Cunard and other large steamers taking pilots on to Queenstown and taking up pilots at Queenstown for Liverpool, 2951–2958.

Hinton, George Thomas. (Analysis of his Evidence.)—Is a free waterman of the Thames, practising between London and Gravesend, 9219–9223——Served an apprenticeship of seven years before being licensed by the Watermen's Company, 9224–9230——Previously to 1862 piloted sailing vessels and steamers, and has since piloted steamers only, 9231–9233.

Statement as to witness and other watermen pilots being frequently employed to navigate ships when there is also a Trinity pilot compulsorily taken; conclusion that this is done on account of the superior skill of the watermen, 9234–9243. 9363–9373. 9418–9432. 9444–9449. 9472–9478. 9487–9491. 9521–9525. 9532–9537—— Much lower charges of the watermen pilots than of the Trinity pilots; opinion that this is not the reason of the employment of the former in preference to the latter, 9244–9249. 9370–9372. 9402–9417.

Large earnings of witness and some other watermen pilots, one making 900 *l.* a year; small earnings, however, of the great majority, 9250–9252. 9265–9274. 9464–9469. 9483–9486. 9497, 9498——Employment of from twenty to twenty-five free watermen in piloting steamships between London and Gravesend, there being from 400 to 500 employed on sailing ships, and the total earnings being calculated at 26,400 *l.*, 9253–9275. 9320–9331—— Complaint as to the power of the Trinity pilots to supersede the watermen; grounds for apprehending that this power will be largely exercised if the Bill be passed, unless some protective clauses be inserted, 9276–9296. 9316 *et seq.*

Obstacle to the great majority of the free watermen undergoing examination for Trinity pilotships, 9297–9301——Statement as to two free watermen having been appointed to pilot Government ships between London and Gravesend, having first passed an examination at the Trinity House, 9302–9315. 9390–9396—— Information as to the training which qualifies watermen as pilots; circumstance of no examination being passed, 9373–9385. 9433–9443.

Decided inadequacy of the present staff of licensed pilots for the work in the Thames, so that there is ample room for the watermen pilots, 9455–9458. 9492–9496. 9527–9531——Important distinction between free pilotage in a river and in the open sea, 9479–9482——Circumstance of the Trinity pilots acting only in the day time, so that they run less risk of accident than the watermen pilots, 9499, 9500.

Hobblers. Probable employment of "hobblers" in the Thames instead of licensed pilots, if there were no restriction, *Tillman* 7770, 7771. 7781–7785——Expected extension of employment of hobblers as pilots at Belfast if the pilotage be optional, *Benson* 9841–9847.

Holland. Compulsory payment of pilotage in Holland, the owner being at the same time not free from liability, *Lamport* 3667.

Holt, Alfred. (Analysis of his Evidence.)—Is a shipowner at Liverpool, and is manager of the Ocean Steamship Company; is also a member of the Mersey Docks and Harbour Board, and of the Pilotage and Marine Committees, 11083–11086——Approval of the application of the Bill to Liverpool, 11087, 11088—— Expectation that voluntary pilotage would probably lead to a reduction in the number of pilots, who would be of a better class and better paid, 11089–11094. 11108–11112——Expediency of the master having full control over his vessel in pilotage waters, 11089. 11095–11098.

Increased emulation under a voluntary system; degree of emulation at present, 11093, 11094. 11121. 11131–11145. 11223–11226—— Conclusion that there would be a large employment of pilots under a voluntary system, and that pilots would be taken further down channel, though on the whole the employment would probably be less than at present, 11099–11102. 11113–11120——Opinion that the present rate of charge is high, considering the service rendered, 11103–11105. 11159–11164. 11290——Danger in the navigation to Liverpool, though not of a character to call for exceptional legislation, 11106–11108.

Effect of the Bill to leave all the present regulations undisturbed, and merely to render it optional in the shipowner to employ a pilot, 11122–11130——Way in which there would be facilities to ships generally for carrying out a selection of pilots under a voluntary

Report, 1870—*continued.*

Holt, Afred. (Analysis of his Evidence)—*continued.*

voluntary system, 11136–11141. 11188–11191——Grounds for the conclusion that there are more pilots than are required for the service of the port; power of the pilotage committee to prevent abuse on this score, 11146–11154. 11218–11222——Power also of the local authority to regulate the division of the pilots' earnings, 11155–11158.

Expediency of its being optional in every owner to secure the services of a pilot, whilst the latter should not have the right of refusal, 11165–11173——Conscientious action of the pilotage committee in following up complaints against pilots, though severer measures might sometimes be adopted; modes of punishment adverted to, 11174–11183. 11192, 11193. 12259–12264——Facility of carrying out discipline in any port concurrently with voluntary pilotage, 11184–11187.

Limited extent to which there is any selection of pilots at Liverpool, 11194–11200——Contemplated licensing of pilots under a voluntary system, it being at the same time important to take great care in changing from one system to another, 11201–11217——Doubt as to the expediency of fixing the rates by statute, 11203. 11289——Exceptions taken to some of the conditions proposed in regard to the compensation of the pilots, 11227–11236.

Opinion that the system of boat owning is very unsound, though if it be abolished compensation should be provided, 11237–11240. 11249–11253. 11276–11281——Difficulty as to the fund or source whence the boat owners should be compensated; degree of claim upon the consolidated fund, 11241–11249. 11255–11258. 11265–11288——Question as to its being any hardship to the shipowners to enforce a new system upon them contrary to the views of the great majority, 11292–11300.

Hull (Humber Pilotage District):

I. *As to the Present Pilotage System:*

1. Constitution of the Pilotage Authority, and satisfactory Character of its Administration.
2. Liberal Course pursued as regards Pilotage Certificates.
3. Exemptions from Compulsory Pilotage.
4. Staff of Pilots, and Amount of Earnings.

II. *As to the Question of Voluntary Pilotage:*

1. Local Feeling in Disapproval generally of the Bill.
2. Character of the Navigation as affecting the Question at Issue.
3. Views of the Pilots in regard to the Application of the Bill.
4. Claim to Compensation.
5. Conclusions of the Committee adverse to the Retention of Compulsory Pilotage.

I. *As to the present Pilotage System:*

1. Constitution of the Pilotage Authority, and satisfactory Character of its Administration:

Satisfactory administration by the Pilotage Commissioners of Hull; absence of complaints to the Board of Trade, *Farrer* 500–505. 514–519.

Regulation of the pilotage system of Hull by an Act passed in 1832, *Bannister* 5541——Examination and licensing of pilots by the Hull Trinity House, whilst the administration of the pilotage rests with the Pilotage Commissioners, *ib.* 5541–5543. 5747–5749. 5773–5775—— Large representation of merchants and shipowners on the Commission, the Trinity House, and the Corporation being also represented, and there being seventy-two commissioners altogether, *ib.* 5543–5545. 5763–5766.

Careful investigation of complaints by the Commissioners, these however being very rare, and the system giving universal satisfaction, *Bannister* 5550–5559. 5622. 5746. 5750, 5751. 5767——Gratuitous services rendered by the Hull Commissioners; small expenses of the Commission for salaries, &c., *ib.* 5613–5615.

Severe punishment of pilots when complaints are established, *Brown* 5817–5822——Careful check upon the cruising of the pilots, *ib.* 5817, 5818——Very satisfactory and economical working of the present system and regulations, *Brewis* 5933–5940. 5947–5956.

Satisfaction given generally by the pilotage service, *Lumsden* 6092. 6105–6109; *Harvey* 6301, 6302——Careful investigation of complaints by the Pilotage Commissioners, *Lumsden* 6107–6109 —— Representation of all interests upon the Commission, *ib.* 6110, 6111.

2. Liberal Course pursued as regards Pilotage Certificates:

Very liberal action of the Hull Trinity House in the granting of certificates to masters and mates after examination, *Farrer* 167–169. 506–513——Very liberal licensing of masters

Report, 1870—*continued.*

HULL (HUMBER PILOTAGE DISTRICT)—continued.

I. *As to the present Pilotage System*—continued.

2. Liberal Course pursued as regards Pilotage Certificates—*continued.*

masters and mates, *Bannister* 5588–5592. 5747. 5752–5754. 5782, 5783——Great facility in the granting of pilotage certificates to masters and mates of local vessels, *Brown* 5813–5819——Possession of pilotage certificates by witness's captains and mates, this being the case as regards the local owners generally, so that pilotage is compulsory only as regards foreign vessels, *Lumsden* 6093–6097. 6183–6195. 6215–6223. 6279–6286.

Free examination of masters and mates by the Trinity House of Hull, the result being that almost all the vessels belonging to Hull shipowners are thus exempt from compulsory pilotage, *Rep.* xxi, xxii.

3. Exemptions from Compulsory Pilotage:

Reference to the numerous exemptions from compulsory pilotage at Hull, though foreign vessels are not included in the category, *Bannister* 5593–5595. 5752–5754. 5780–5783——Exemption of coasters and of foreign vessels of light draught, *ib.* 5593–5595.

Exemption of all coasters and all foreign-going vessels drawing less than six feet of water, *Rep.* xxi, xxii——Compulsion is confined practically to foreign vessels, and British vessels belonging to other ports, *ib.* xxii.

4. Staff of Pilots, and Amount of Earnings:

Total of sixty-eight pilots and seven pilot boats, *Bannister* 5546, 5547. 5563——Extent of the pilotage district and system of cruising, by which the supply of pilots is regulated, *ib.* 5548, 5549. 5560–5565. 5701——Information relative to the supply and training of apprentices, of whom there are twenty-one; important advantage on the score of the school possessed by the Trinity House, *ib.* 5566–5573. 5663. 5757, 5758.

Moderate earnings of the pilots under the present compulsory system, *Bannister* 5596, 5597; *Brown* 5823–5829; *Brewis* 5927–5932. 6021——Very moderate pilotage rates, there being different scales according to distance, *Bannister* 5623–5625. 5709–5713. 5776–5779——Dangers encountered by the Hull pilots in bad weather, their remuneration not being extravagant, *Lumsden* 6137–6142——Dissent from the conclusion that the expense of the service could be curtailed, *Harvey* 6326–6328——Practice as to division of the pilots' earnings, this being the cause probably of the discontent expressed by the younger men, *ib.* 6329–6336.

Total of sixty-eight pilots between the sea and Hull, there being twenty-one apprentices, *Rep.* xxi.

II. *As to the Question of Voluntary Pilotage:*

1. Local Feeling in Disapproval generally of the Bill:

Absence of communication from Hull to the Board of Trade either in approval or disapproval of the Bill, *Farrer* 531–533.

Belief that the Bill would ruin the present efficient service, and that if the pilotage were not compulsory, pilots would not be found when wanted in bad weather, on account of the uncertainty of employment, *Bannister* 5587. 5598–5607. 5619–5622. 5701–5708. 5759–5762; *Brown* 5830–5841. 5849 *et seq.*; *Brewis* 5917–5926. 5989–6005. 6022–6052. 6067–6077.

Unanimous feeling of the Pilotage Commissioners against the Bill, there being in fact no local feeling in its favour, *Bannister* 5605–5607. 5622. 5763–5772——Question as to a reduction of the number of pilots and apprentices under a voluntary system; danger of any reduction, *ib.* 5657–5672. 5755, 5756——Concurrence in the evidence in disapproval of the Bill, *Brown* 5798–5800; *Brewis* 5886, 5887.

Objection to the application of the Bill to Hull, the present system being efficient, *Lumsden* 6105, 6106. 6136–6138. 6150–6153——Disapproval of the Bill both by the shipping and commercial interests, *ib.* 6112——Grounds for the conclusion that the employment of pilots in the Humber would greatly fall off under a voluntary system, *ib.* 6234–6249.

Very large trade in small vessels from the Humber to the North of Europe and the French coast, compulsory pilotage entailing an excessive burden upon the owners of these vessels, *Oates* 12185–12192——Conclusion as to there being no good reason for maintaining compulsory pilotage at Hull, *ib.* 12227–12230.

2. Character of the Navigation as affecting the Question at Issue:

There are many sand banks, but the river is well buoyed and lighted, *Farrer* 516–518——Safety of the pilotage the moment a vessel is inside the Humber, *Sir F. Arrow* 1487.

Particulars relative to the navigation of the Humber as being exceedingly intricate and dangerous, so that it is most essential to secure an efficient supply of pilots, *Bannister* 5574–5586. 5626. 5631–5633. 5637–5641. 5673–5678——Statement as to the exceedingly

Report, 1870—*continued.*

HULL (*HUMBER PILOTAGE DISTRICT*)—continued.

II. *As to the Question of Voluntary Pilotage*—continued.

2. Character of the Navigation as affecting the Question at Issue—*continued.*

ingly dangerous character of the navigation of the Humber, on account of the shifting sand banks, and other causes, *Brown* 5801–5812. 5842–5848. 5864–5867. 5878–5882 ——Very great danger in entering the Humber in certain winds, whilst the numerous and shifting sand banks render the navigation very difficult, *Brewis* 5888–5908. 6006–6008. 6019, 6020——Concurrence in the evidence of other witnesses as to the dangers of the navigation, *Lumsden* 6101–6104.

Dissent from certain evidence as to the navigation of the Humber being difficult and exceptional, *Sir F. Arrow* 11860–11862.

3. Views of the Pilots in regard to the Application of the Bill:

Statement by a majority of the Hull pilots as to the objections to which the present system is open; memorial on the subject signed by forty pilots out of sixty-eight, *Farrer* 173. 504.

Evidence to the effect that a certain letter to the Board of Trade, signed by forty of the Hull pilots, in favour of the Bill and of free pilotage, was so signed under misapprehension, and that nearly all these pilots have since recorded their objection to the alterations proposed by the Bill, *Brewis* 5909–5916. 5941–5981. 6009–6018. 6053–6066. 6080–6083.

Explanation that a certain letter signed by about forty of the Hull pilots does not represent their real views as regards the Bill, the purport of which they did not understand at the time, *Lumsden* 6170–6182.

Regret expressed by some of the Humber pilots in regard to their having signed a certain letter in favour of the Bill, *Harvey* 6294–6298——Probability of witness's employment by foreign vessels falling off very much if they were not subject to compulsory pilotage, *ib.* 6303–6323.

Production of, and explanation upon, a certain document, signed by fifty-six out of sixty-eight pilot boats in the Humber, praying to be exempted from the Bill, *Bannister* 6337 *et seq.*——Statement to the effect that a previous document, signed by forty pilots, in disapproval of the present system, and in favour of the Bill, was signed under a misconception, and in the belief that they would receive compensation, and be free to demand their own rates, *ib.* 6343 *et seq.*

Requisition, dated 14th March 1870, of fifty-six pilots of the Humber for the preparation of a petition praying that the pilotage of the Humber may be exempted from the operation of the Compulsory Pilotage Act, *App.* 562.

4. Claim to Compensation:

Admission as to the claim of the Hull pilots to compensation, if their case is similar to that of the Liverpool pilots, *Farrer* 520–525.

5. Conclusions of the Committee adverse to the Retention of Compulsory Pilotage:

Exception taken by the Committee to the evidence received from the Pilotage Commissioners, the shipowners, and pilots of Hull, in favour of retaining compulsory pilotage, *Rep.* xxii.——Complaints as to the incidence of pilotage rates, and dissatisfaction amongst the pilots, under the present system, *ib.*

Conclusion of the Committee that there is no substantial difference between the case of Hull and that of the North Channel of the Thames, *Rep.* xxii——There is, therefore, no good reason for retaining compulsion in the Humber, *ib.*

See also *Goole. Grimsby. Tugs.*

Humber Pilotage District. See *Goole. Grimsby. Hull. Tugs.*

I.

Immunity of Owners. See *Liability.*

Inman, William. (Analysis of his Evidence.)—Is managing owner of the Liverpool, New York, and Philadelphia Steam Ship Company, the vessels plying from Liverpool, and representing a very large tonnage, 10227–10231——Was for some years on the pilotage committee of the Mersey Board, 10232——Has twice been chairman of the Liverpool Steamship Owners' Association, which approves of the Bill, except the third clause, 10233–10237. 10285.

Opinion favourable to voluntary pilotage generally, witness attaching great importance to the right of selection of pilots, 10238–10245. 10286–10297——Explanation as to witness now having a choice of pilots; difficulty experienced before this permission was granted

Report, 1870—*continued.*

Inman William. (Analysis of his Evidence)—*continued.*

granted by the pilotage committee, 10239–10245. 10286–10289. 10298–10300——Comment upon the mode of inquiry by the pilotage committee into complaints, 10246. 10299–10308——Instances of incompetency on the part of compulsory pilots on board witness's ships, 10246, 10247——Mischievous effect of giving sole charge to the pilot, and of exempting the owner from liability; under the compulsory system, however, such exemption is only just, 10248–10255. 10380–10382.

Belief that if pilotage at Liverpool were voluntary, the men would be better paid, and the services rendered more efficient, 10256. 10273–10278. 10329–10342. 10352——Exception taken to the practice whereby large deductions are made from the pilots' earnings towards the boatowners, 10256–10258. 10319. 10338. 10343, 10344. 10347. 10433, 10434——Evidence in support of the conclusion that vessels would continue to employ pilots under a voluntary system; practice of witness in non-compulsory ports adverted to hereon, 10259–10270. 10423–10432. 10441–10444——Very similar rates at Cork and Liverpool, 10271, 10272. 10374. 10384–10387. 10423–10430.

Evidence of Mr. Leyland adverted to as representing the general views of the steam shipowners of Liverpool, 10279–10281——Very large steam tonnage of the port of Liverpool, the amount daily increasing, 10282–10284——Objection by the Steamship Owners' Association to a right in licensed pilots to supersede unlicensed pilots, 10285. 10324——Difficulty in providing that sailing ships coming to Liverpool should have a chance of pilots, 10290–10295.

Suggestion that steam pilot boats might be used at Liverpool; probability of these, or of boats otherwise efficient, being provided if pilotage were voluntary, 10292. 10314–10319. 10336–10342. 10398——Exception taken to the views of the underwriters of Liverpool on the present question, 10309–10311——Statement as to the unduly enhanced value of the boat shares on account of the large dividends paid, and as to the boats not being properly efficient, 10319–10323. 10401–10422. 10445–10451——Preference of witness for licensed pilots; at the same time it should not be compulsory upon owners to employ them, 10324–10335.

Expediency of applying voluntary pilotage at Liverpool, and generally, by means of the Bill, rather than of merely amending the Mersey Docks Act, and correcting the boat-owning system, 10343–10352. 10383——Contemplated adoption of a regulated price concurrently with optional employment and a system of licensing, 10353–10358——Doubt as to ships inwards being any worse off in bad weather under a voluntary system, 10359–10361——Discretion allowed by witness to his captains as to their availing themselves of the local knowledge of the pilots, 10362–10366.

Explanation as to the apparently greater danger of vessels in the Mersey when not in charge of pilots; several instances of piloted vessels going on shore, 10367–10373. 10388–10397——Objection to an unlicensed man taking charge of a vessel in port, but not in the open sea, 10378, 10379——Inferior pilot boats at Cork as compared with the Liverpool boats, 10398–10400——Doubt whether compensation for the Liverpool boat-owners should be provided from Imperial sources, 10409. 10435–10440. 10445–10451.

Insurance:

Reference to a letter from the secretary of Lloyds to the effect that premiums would not be increased by the abolition of compulsory pilotage, *Farrer* 219——Conclusion that under the voluntary system ships are very unlikely to be over-insured, and to be intentionally lost, there being no pilot on board, *ib.* 601, 602. 617, 618——Great difficulty involved in the question of insurance, *ib.* 601.

Ample power of insurers to protect themselves on the score of pilotage; practice in some cases for the underwriters to require a clause in the policy of insurance to the effect that a pilot must be employed, *Farrer* 825, 826. 877. 948–963. 1024——Limitation of the amount of insurance in some foreign countries, in order to prevent risk being run, *ib.* 883. 1025, 1026——Statement as to the law implying in some cases that there is a condition in the policy of insurance as to employment of a pilot, *ib.* 982–984.

Information in detail on the subject of the law of insurance as affected by pilotage; conclusion that pilots would, under a voluntary system, be still largely employed on account of the obligation under the insurance laws, *Squarey* 2579–2600. 2609–2648——Probability of the foreign-going vessels from Liverpool being usually insured, and of their taking pilots in any case on account of the conditions of insurance, *Hills* 2902–2907.

Consideration of the law and the practice as to policies of insurance involving the employment of pilots; conclusion that, under an optional system, underwriters would not not stipulate for the services of pilots, but would rather increase the premium on account of the increased risk, *Danson* 3153–3160. 3207–3211. 3233–3240. 3273, 3274. 3295–3313. 3357–3364——Statement to the effect that though four-fifths of the ships insured would in any case take pilots, there would be increased loss and an increase of insurance rates, *ib.* 3333–3356.

INSURANCE—continued.

Doubt as to the law of insurance having the effect of inducing pilots to be taken under a voluntary system in any port, *Lamport* 3608–3611 —— Statement as to foreign insurance policies requiring pilots to be taken, *Millen* 7313–7316, 7317; *Mallet* 7588–7591. 7597–7600.

Tendency of optional pilotage to enhance the insurance rates upon those ships which do not employ pilots, *Tozer* 8242–8253. 8265–8267——Tendency also of the probable action of the underwriters to lead indirectly to a sort of compulsory pilotage, *ib.* 8253–8262.

See also *Underwriters.*

Irvin, Matthew Lamont. (Analysis of his Evidence.)—Complaint as to the river pilots of Glasgow infringing on the pilotage grounds of the Greenock deep-sea pilots, whereas the latter are not allowed to go up to Glasgow, 12011–12020.

J.

Johns, Richard. Letter from Mr. R. Johns to the Board of Trade, dated 29th March 1870, complaining of the heavy burden of the compulsory pilotage rates of Liverpool in the case of coasting vessels, *App.* 555, 556.

Johnson, Henry Owens. (Analysis of his Evidence.)—Represents the firm of John Granger & Company, of Liverpool, owning a line of steamers running to Belfast, Londonderry, and Silloth, 11301–11304—— Non-employment of any pilots by the firm in the Mersey, the captains of the steamers being considered more competent to manage the vessels, 11305–11310. 11359——Complaint as to the vessels being subject to a charge for pilotage though never employing a pilot, 11306. 11311. 11316, 11317. 11380–11386 ——Opinion that pilotage should be free not only at Liverpool, but generally round the coast, 11312–11314——Belief that there would be sufficient pilots to meet the demand under a voluntary system, 11315. 11318–11321.

Examination relative to the agreement with the Liverpool pilotage committee, by which witness's vessels pay a reduced pilotage rate of one shilling per foot, though not using nor required to use a pilot; witness was not aware that there was any sanction of the Board of Trade for this charge, 11322 *et seq.* 11396, 11397——Explanation in regard to witness's captains not having been examined for pilotage certificates, in order to save the sum (from 350 *l.* to 400 *l.* a year) paid for pilotage rates; witness was not aware that the payment might thus be saved, 11322–11337. 11371–11379. 11387–11395. 11398.

Johnson, Capt. James. (Analysis of his Evidence.)—Was formerly in command of a coast-guard cruiser; has had experience more especially in the Bristol Channel, 12240–12243 ——Opinion that compulsory pilotage is no longer necessary, the coasts being so well buoyed and lighted, and the charts so well got up, 12244, 12245, 12258——Entire absence of necessity for a retention of compulsory pilotage at Milford, 12246–12253. 12259–12261. 12279–12289——Expectation that under an optional system there would be a better class of men who would keep the sea more, 12249–12253. 12286, 12287.

Statement as to Admiralty vessels being allowed a pilot only three times in and out when going to a strange port, 12254–12257——Conclusion as to a compulsory system being less required at Swansea than at Cardiff; relative facilities of access to each port, 12262–12266. 12290–12319——Circumstance of witness having been frequently into the port of Liverpool, whilst he had a pilot only once; he considers that compulsory pilotage is not necessary there, 12267–12275.

Jones, Henry. (Analysis of his Evidence.)—Is a licensed pilot of Liverpool; is one of the selected pilots of the Inman Company, to and from Queenstown, 10517–10522——Payment of 340 *l.* a year for witness's services, whereas he receives only about half; complaint hereon, 10523–10526. 10533, 10534. 10573–10581. 10588–10590. 10645–10658—— Evidence favourable to the Bill as compelling the break-up of the boat-owning system in the Mersey; details hereon as to the very objectionable and unjust working of the system in diverting a large portion of the pilot's earnings, 10527 *et seq.*——Expectation that there would be no material falling off of employment under an optional system, 10540–10543.

Dissatisfaction of half, or more than half, of the pilots with the present system at Liverpool, more especially as regards the boat ownership; examination hereon upon the question whether meetings of the pilots have not recorded their disapproval of the Bill, 10544 10553. 10634–10644. 10661–10670——Worse position of the pilots in 1872, when the compensation for differential dues ceases, 10548–10550. 10566.

Suggestions as to the amendments desirable in the system of boats and stations under a non-compulsory system; advantage of a boat going down the Channel as far as Tuskar, 10544–10563. 10591–10599, 10659, 10660. 10671–10678——Explanation that witness does not object to the earnings of the same boat being equally divided, and merely objects to the deduction for the boat owners. 10582–10587. 10622–10624. 10628–10633 ——Better

Report, 1870—*continued.*

Jones, Henry. (Analysis of his Evidence)—*continued.*

——Better payment of the Queenstown than Liverpool pilots, 10600–10604——Difficulties of the navigation of the Mersey, more especially to strangers, 10605–10612——Contemplated licensing of pilots under a voluntary system, 10618–10621.

Josse, Henri. (Analysis of his Evidence.)—Is a merchant at Grimsby, the pilotage of which is under the Hull district, 12082–12084——Compulsory pilotage at Grimsby on all foreign-going vessels, coasters to English ports being alone exempt, 12085–12090 12107, 12108. 12146, 12147——Liability of the merchant who clears the ship for the pilotage, 12085. 12163, 12164——Very easy access to Grimsby, there being no necessity for imposing pilotage compulsorily, especially in the case of small vessels, upon which the charge presses very heavily, 12087 *et seq.*

Employment of twelve pilots, the charge coming to between 4,000 *l.* and 5,000 *l.* a year, 12091, 12092——Complaint as to half the pilots' earnings being disposed of by the Hull Commissioners; particulars hereon as to the expenses defrayed by the latter, 12092. 12101. 12112, 12113. 12124–12145——Expectation that under optional pilotage there would still be considerable employment for pilots at Grimsby, and those who are efficient and zealous would make a good living, 12099–12103. 12115, 12116. 12123–12131. 12161, 12162.

Grievance in there being no redress at Grimsby against owners for damages under compulsory pilotage, 12104——Very heavy pressure of the pilotage rates upon small vessels trading to Goole, 12109–12111——Compulsory system in operation in France; belief that the underwriters there are moving for a non-compulsory system, 12117–12122. 12172–12180——Belief that instead of seven pilot-cutters at Grimsby, three would suffice, 12138, 12139. 12165–12171.

Judkins, Captain Charles Henry Evans. (Analysis of his Evidence.)—Has had immense experience of the navigation and pilotage of the Mersey; is now commander of the "Scotia," 1950–1954. 1958. 2156–2158——Very excellent manner in which the Mersey is lighted and buoyed, 1955. 1956——Exceedingly efficient operation of the Liverpool system of pilot stations, pilots being invariably found when wanted, 1956–1962. 1970, 1971. 2138——Exceptions taken to the New York system of pilotage as not being stationary, 1963–1969.

Thorough efficiency of the Liverpool pilots; absence of complaints against them, 1972–1975——Much lower pilotage rates in Liverpool than in New York, 1976–1979——Great importance of pilots on board of all vessels going into Liverpool; illustrations of this, 1980 *et seq.*——Evidence as to the peculiar dangers of the navigation of the Mersey, on account of the suddenness with which gales come on, of the fogs, and of the shifting character of the channels; conclusion that the difficulties are greater than in the case of the Bristol Channel or the Thames, 1983–1987. 1991. 1995. 2003–2010. 2077–2081. 2094–2096. 2151–2155. 2171–2178. 2185, 2186. 2244–2257.

Examination in detail in support of the conclusion that it would not be safe to abolish compulsory pilotage in the Mersey, witness contending that under the voluntary system there would not be the same efficiency of pilots, and that they would not always be found where and when wanted, 1988 *et seq.*

Respects in which compulsory pilotage in the Mersey adds to security of life; increased risks likely to run, if the pilotage rates could be avoided, 1992–1994. 2011, 2012. 2014. 2036. 2048–2052. 2103–2106. 2110–2123. 2201–2207——Value of the apprenticeship served by Liverpool pilots, 1998–2004. 2045–2047. 2124, 2125. 2208——Belief that under the optional system many masters would not take pilots, and that the efficient and numerous staff necessary for the Mersey could not be maintained, 2013–2020. 2187–2192——Explanation as to the supervision and control still exercised by witness after taking a pilot on board; relative responsibility of the captain and pilot adverted to hereon, 2021, 2022. 2107–2109. 2131–2137. 2145–2150. 2179–2182. 2258–2277. 2328–2346.

Consideration of the voluntary system of pilotage in operation at Queenstown; its entire unsuitableness for Liverpool, 2023–2036. 2089, 2090. 2217–2243. 2283–2286——Numerous collisions in the Mersy, if pilotage were not compulsory, 2036. 2165–2170——General opinion of the commanders in the Cunard service that the compulsory system is essential in the Mersey, 2038——Belief as to the impracticability of securing by means of regulations the same unfailing supply of efficient pilots as under the compulsory system, 2039–2047. 2054–2066. 2082 *et seq.*

Large number of small vessels without pilots lost last year in going to Liverpool, whereas there was only one large ship lost with a pilot, 2049. 2110–2116. 2170. 2196, 2197. 2214–2216——Explanation that in contending for the continuance of the compulsory system, witness speaks only for Liverpool, where it has answered so well; he has no experience as to the working of the voluntary system in other ports, 2050–2059. 2070–2093. 2127. 2144. 2176, 2177——Much larger amount of tonnage which can be piloted by the same staff at Liverpool since the introduction of steamships 2060–2067.

Judkins, Captain Charles Henry Evans. (Analysis of his Evidence)—*continued.*

Compulsion to take a pilot in going into the port of New York, 2067–2069——Opinion that in any port where the navigation is difficult, or where there is a bar harbour, compulsion is desirable in order to secure a proper supply of efficient pilots, 2077–2082. 2278–2282——Conclusion that there would be no certainty of employment under a non-compulsory system, and that therefore pilots would not incur risk and would not be always found in bad weather, 2082–2093. 2097–2102. 2126–2129. 2137, 2138. 2194, 2195.

Importance not only of an ample supply of pilots in the Mersey, but of their all being trained men and of assured efficiency; great risk in taking on board men of whose efficiency nothing is known, 2102, 2103. 2159–2164. 2199. 2200. 2208. 2287–2296——Excessive rates likely to be demanded by pilots in bad weather if pilotage be free, 2129, 2130——Loss of the "Royal Charter" adverted to as a consequence of not having a pilot on board, 2137——Unfairness in prescribing the rates under an optional system, 2142, 2143——Opinion as to the injustice of fixing liability on the owner, when there is a compulsory pilot on board, 2145–2150. 2263–2267. 2345, 2346.

Objectionable practices formerly of the pilots at Calcutta, 2209–2213——Explanation in regard to the Cunard vessels taking pilots before going into Queenstown; question hereon whether a voluntary pilotage is not adequate for this port, 2217–2243. 2283–2286.

Statement as to the Cunard vessels for Liverpool taking their pilots at Queenstown, in order to avoid stopping off Port Linas, 2297–2303. 2327——Belief that under a non-compulsory system witness's company would equally employ pilots; question whether the other steamship companies of Liverpool would not also do so, 2304–2327.

K.

Knottingley. Petition of shipowners and master-mariners of Knottingley (port of Goole) praying for an unconditional abolition of the law of compulsory pilotage throughout the United Kingdom, *App.* 552.

L.

Lamport, William James. (Analysis of his Evidence.)—Represents about 30,000 tons of steam shipping at Liverpool, 3559, 3560——Great satisfaction given by the present pilot service of the port, though it is capable of some amendment, 3561–3564. 3594——Objection to the proposal for the abolition of compulsory pilotage, witness advocating compulsory payment, even though a pilot may not be taken, 3565–3593. 3597–3608. 3720–3733——Opinion as to the maintenance of pilot stations being essential, 3568.

Evidence in support of the conclusion that under optional pilotage pilots would no longer feel under any moral obligation to be out in bad weather, and that they would not be always found, as they now are, when most wanted, 3569–3581. 3646–3662. 3676–3678. 3736–3773.

Statement in favour of the provision in the merchant shipping code abolishing the immunity of the owner for the fault of the pilot; argument in support of the liability of the owner concurrently with compulsory payment for pilotage, as distinct from compulsory employment, 3581–3583. 3597–3608. 3665–3667. 3682–3684. 3720–3727. 3791–3793.

Probability of many vessels in the Mersey trusting to steam-tugs without a pilot, if there were no compulsion; danger thus incurred, 3584–3589. 3679–3681——Approval of masters being still allowed to qualify for pilotage certificates, 3590——Belief that a perfectly free system in lieu of that proposed by the Bill would never answer in Liverpool; nor has witness any confidence in the permanence of the regulations to be established by the Bill, 3591–3593. 3622–3643. 3702–3707.

Improvement if some of the Liverpool pilots were stationed in the Channel as far down as Tuskar, 3594–3596. 3656–3662. 3685, 3686——Statement opposed to the theory that the pilot should supersede the captain in the management of the ship; suggestion that the proper function of the former should be to advise, 3598–3606. 3667, 3668. 3682–3684. 3687–3693——Argument in support of compulsory payment, even though a pilot may not be taken; analogous principle involved in the payment for police, lighthouses, &c, 3607, 3608. 3632–3634. 3694. 3726. 3733.

Doubt as to the law of insurance having the effect of inducing pilots to be taken under a voluntary system in any port, 3608–3611——Large powers of the Board of Trade for the removal of anomalies in the pilotage system of the different ports, 3612–3618——Disapproval of uniformity of system being laid down by the Legislature, witness preferring that each port should be allowed to manage its own affairs, without too much interference by the Board of Trade, 3691–3621. 3673–3675——Grounds for the conclusion that the promoters of the Bill are false to the principles of free trade; that is as regards the

Report, 1870—*continued.*

Lamport, William James. (Analysis of his Evidence)—*continued.*

the proposed restriction upon the number and pay of the pilots, 3622–3625. 3637–3640. 3702–3707.

Probability of the pilots making charges amounting to salvage under a system of free trade, 3625–3627. 3699–3702——Comment upon the action of the Board of Trade in heaping obligations upon shipowners, the removal of the obligation to take pilots being comparatively a very small matter, 3628–3634. 3675——Inconsistency of the exemptions at Liverpool from compulsory pilotage; witness, however, would not now abolish all exemptions, 3635. 3636. 3655. 3734, 3735.

Peculiar danger in entering the port of Liverpool, so that there is good reason for an exceptional pilotage service, 3641–3645. 3695–3698. 3737–3747 —— Very moderate earnings of the Liverpool pilots, the average being under 200 *l.* a year, 3663, 3664 —— Intention of witness in any case to employ pilots; imprudence of those owners who propose to escape the charge, 3668–3672.

Evidence to the effect that a majority of the steamship owners of Liverpool are in favour of the Bill; views of witness's partner on the subject, 3708–3711. 3774–3780——Vast increase going on in the steam shipping trade of the port, 3712–3715——Statement as to there being every facility given to steamship owners to become members of the Mersey Docks and Harbour Board, though there may be but few owners on the Board, 3716–3719.

Objection of most of the steamship owners in the Mersey to their being liable for accidents, if there be compulsory payment of pilotage, 3780–3786——Improbability of much agitation at Liverpool against a pilotage tax to be imposed irrespectively of the employment of pilots, 3787–3790.

Large Ships. Belief as to the more careful navigation of large ships than of small ones, *Henderson* 5044–5046.

Lee, Robert. (Analysis of his Evidence.)—Is a deep-sea pilot of the port of Greenock, his license extending from Newark Castle to Cambrae Heads, 11911–11913. 11915—— Complaint as to the river pilots frequently infringing upon the ground of the deep-sea pilots, by taking vessels to Gareloch as well as out to sea and round the coast, whereas the deep-sea pilots cannot go above Newark Castle, 11914 *et seq.*——Witness submits that the deep-sea pilots should be protected within their own limits, or should be allowed to pilot up to Glasgow, 11924–11931. 11952–11957. 11982–11984.

Qualifications of witness adverted to; he has hardly ever had an accident to a ship, 11931–11936——Instances of accident to vessels in charge of river pilots, 11937. 11994, 11995——Information as to the employment and average earnings of the eighteen deep-sea pilots of Greenock; witness makes about 200 *l.* a year, 11938–11953. 11966–11981 ——Opinion that if any ships be compelled to take pilots, it should be those with passengers and valuable cargoes; but witness does not recommend compulsion at all, 11958–11965. 11985–11989. 11996–11998.

Lee, William. Memorial from Mr. Lee and other owners of sailing barges in the Thames and Medway, *App.* 510, 511——Letter from Mr. Lee, dated 4th April 1868, together with return of casualties; very small proportion recovered out of the total amount of the damage, *ib.* 511, 512——Letter from Mr. Lee, dated 10th September 1868, in further support of the claim of the sailing-barge owners to a remedy of the grievances experienced under the present system of non-liability of shipowners in cases of collision, *ib.* 513–515.

Legislation. Objections to the question of the adoption of voluntary pilotage being left to the caprices of local legislation, *Rep.* xxix.——Opinion that no case has been made out for special and exceptional legislation, *ib.*——Conclusion that the principle upon which the Bill is founded is a right one, and that the Bill should, with the amendments made in it, be passed into a law at as early a date as possible, *ib.* xxx.

See also *Compulsory Pilotage.* *Local Authorities.* *Voluntary Pilotage.*

Leith Chamber of Commerce. Reference to memorial from the Leith Chamber of Commerce as being entirely in favour of free trade in pilotage, *Farrer* 225.

Memorial of the Leith Chamber of Commerce, dated 4th March 1870, in favour of abolition of compulsory pilotage, *App.* 555.

Leyland, Frederick. (Analysis of his Evidence.)—Is managing partner of the firm of John Bibby & Co. of Liverpool, large owners of steamships; is also chairman of the Liverpool Steamship Association, 9954–9959——Unanimous opinion of a committee of the association in favour of the Bill, upon several grounds, 9960–9968. 10031–10035. 10080–10089 ——Evidence in support of the conclusion that under a voluntary system the pilots would be more efficient, and that inferior men would gradually be weeded out of the service, 9963. 9975–9984. 10014–10016. 10040–10043. 10166–10171. 10180–10182. 10210–10212.

Report, 1870—*continued.*

Leyland, Frederick. (Analysis of his Evidence)—*continued.*

Statement in favour of the owner being liable in the event of his not being compelled to employ a pilot, whilst it would be unjust to make him liable if the pilot were a compulsory one; conclusion also as to the expediency of control of the pilot by the captain, 9964–9972. 10056. 10065–10074. 10138, 10139. 10184–10193. 10213–10218—— Perfect competency of the captains in command of witness's steamers to navigate them in the Mersey without a pilot; explanation as to one only having a pilotage certificate, 9969–9974. 9986, 9987. 10036. 10052–10056. 10075. 10117, 10118. 10144, 10145.

Effect of a voluntary system that the pilots would get better pay, and that the excessive and unfair payments to the boat-owners would be put a stop to, 9975. 10160–10162—— Continued employment of pilots by witness's firm under an optional system, the difference being that they would have the advantage of choosing their own pilots; way in which the power of selection would be exercised, 9976–9984. 9992, 9993. 10008–10016. 10048–10052. 10119–10124. 10136–10139. 10153–10159. 10172–10179. 10210–10212.

Denial that the navigation of the Mersey is exceedingly dangerous, 9985–9987. 10036–10038——Instances of the pilots not being at their stations when wanted, 9986, 9987. 10018. 10163–10165——Easier navigation of steamships than of sailing ships in the Mersey, the former being greatly on the increase, 9988–9991——Great benefit anticipated from the Bill as regards Liverpool, though it does not control the Mersey Board in the matter of licenses, stations, &c., 9994–10007. 10020–10023. 10210–10212——Opinion of the Shipowners' Society that the Bill does not go far enough, 9997.

Tendency of the competition under a voluntary system, to cause the pilots to be more energetic and to go farther to sea, 9998–10000. 10017–10019. 10029, 10030. 10043. 10166–10171——Approval of the pilots being restricted in number by license, and being bound by a regulated price, whilst it should be optional in the shipowners not to employ them; denial that such system would be at variance with the principles of free trade, 9999–10005. 10024–10030. 10044–10047. 10219–10226——Numerous and heavy losses of witness's firm owing to the negligence of licensed pilots, 10039–10041. 10125, 10126. 10140–10143.

Very improper manner in which complaints against pilots are dealt with by the Mersey board or the pilotage committee; suggestions hereon for an improved constitution of the pilotage tribunal with reference to the investigation of accidents and complaints, 10041. 10089–10116. 10127–10133. 10194–10198.

Consideration of certain evidence as to the numerous accidents to vessels in the Mersey without pilots, as compared with the few accidents when compulsory pilots are employed; grounds for dissenting from the inferences drawn therefrom in favour of the compulsory system, 10057–10064. 10076–10079. 10146–10150. 10199–10208——Inefficiency of many of the Liverpool pilots, 10132–10135——Contemplated limitation of the number of licensed men, 10151, 10152——Payment of about 1,800 *l.* or 2,000 *l.* a year by witness's firm for pilotage, 10219.

LIABILITY:

1. *State of the Law as to the Exemption of Owners from Liability when a Compulsory Pilot is employed.*
2. *Mischievous Effect of the Present Law.*
3. *State of the Law in Foreign Countries.*
4. *Suggestions for the Liability of the Owner, concurrently with Compulsory Pilotage.*
5. *Objections to the foregoing Proposition.*
6. *Suggested Liability concurrently with Compulsory Payment.*
7. *Suggestions for enlarged Liability, as by the Adoption of Voluntary Pilotage.*
8. *Considerations as to the Relative Position and Functions of the Master and Pilot, with reference to the Question of Liability of the Owner.*
9. *Question of Remedy against the Pilot.*
10. *Extent of Liability of the Underwriter.*
11. *Liability in respect of Loss of Life.*
12. *Suggestions for an increased Immunity of Owners.*
13. *Conclusions of the Committee.*

1. *State of the Law as to the Exemption of Owners from Liability when a Compulsory Pilot is employed:*

Section 388 of the Merchant Shipping Act of 1854 adverted to as exempting the owner from liability where loss or damage arises, when pilots are carried under compulsion, *Farrer* 27, 28——Inability of witness to trace before 1812 the exemption of liability of owners where pilotage is compulsory, *ib.* 39, 40——Tendency of the courts to establish the non-liability of owners where pilotage is compulsory, irrespectively of express

LIABILITY—continued.

1. *State of the Law as to the Exemption of Owners, &c.*—continued.

express enactments on the subject, *Farrer* 41–45 —— Limitation by the courts of exemption from liability to those cases in which it is clearly proved by the owner that the injury arises through the fault of the pilot, *ib.* 47–49.

Belief as to the continued responsibility of the captain of a ship after he has taken a licensed pilot on board, *Sir F. Arrow* 1531–1535. 1690–1697——If the pilot were placed on the ship's articles for the time being, the owner would still be liable, *ib.* 1544 —— Circumstance of the common law carrying immunity of the owner from liability when there is a compulsory pilot on board; conclusion that exemption under such condition is not unreasonable, *ib.* 1682–1689.

List of legal decisions as regards the liability of certain vessels when in charge of a compulsory pilot, *App.* 515, 516.

2. *Mischievous Effect of the present Law:*

Effect of the present law, and of recent decisions upon the question of liability, in making it to the interest of the captain not to interfere with the pilot, even though he (the captain) may see that the vessel is going into danger, *Farrer* 50–58——Ill effect of taking the responsibility from the master and owner of the ship, *ib.* 203——Advantage of captains not having the inducement which they now have to neglect the navigation of their ships, *ib.* 782.

Effect of the relief of the owner from liability in placing the captain and pilot of a ship in a wrong position, and as having an evil tendency in other respects, *Sir Frederick Arrow* 1396–1402——Tendency to a diminution of collisions if the immunity of the owner from liability were abolished, *Galloway* 4092. 4141–4161——Mischievous effect of the law as to the immunity of the owner when there is a compulsory pilot on board; great injustice, however, in removing such immunity unless pilotage be voluntary, *Duncan* 9563–9567. 9576–9582. 9637; *Inman* 10248–10255. 10380–10382.

Tendency of compulsory pilotage and the immunity of the owner to make the captain careless, *Bouch* 10906–10909——Unsatisfactory working of the non-liability of the owner when there is a pilot on board, *Chaddock* 11473–11479——Grievance in there being no redress at Grimsby against owners for damages under compulsory pilotage, *Josse* 12104——Hardship in the liability for damage resting with the pilot, who is generally unable to pay; objection at the same time to the owner being responsible under compulsory pilotage, *Oates* 12191–12196. 12222–12226.

3. *State of the Law in Foreign Countries.*

Similar law in the United States, in Belgium and France, upon the question of liability as affected by compulsory pilotage, *Farrer* 84–88——Information relative to the law in Belgium, New York, France, and other foreign countries, as not protecting the owner where there is compulsory pilotage, *Squarey* 2384–2394. 2430–2437——Impression that England stands alone among maritime nations in the protection of owners from liability, *ib.* 2384, 2385. 2436, 2437.

4. *Suggestions for the Liability of the Owner, concurrently with Compulsory Pilotage:*

Evidence in support of the conclusion that concurrently with compulsory pilotage rates the immunity of the owner from liability should be by law abolished, *Squarey* 2374. *et seq.*——Feeling among the legal profession employed in shipping cases at Liverpool that it would be well to abolish the immunity of the owners, *ib.* 2441–2443——Evidence in further support of the view that the pilot should not obviate the action of the captain, and should not absolve the owner from liability, *ib.* 2488–2495. 2518–2522.

Advocacy of the view that concurrently with compulsory pilotage the owner should be liable for accidents; approval so far of the principle of the present Bill, *Danson* 3182–3195. 3227–3229. 3263–3273. 3314–3322. 3365–3393——Evidence in favour of owners being liable when there is a pilot on board, it being desirable that the latter should in no way interfere with the command, *Moss* 3867–3873. 3878, 3879. 3925. 3972–4012.

Grounds for the conclusion that there should not be immunity of the owner by reason of compulsion to take a pilot; opinion that the latter should act only as an adviser and should not supersede the captain in his command, *Galloway* 4090–4093. 4109–4111. 4116–4120——Defence of the immunity of the owner concurrently with compulsory pilotage; with or without the former, the latter is imperative, *Allan* 5296–5306——Evidence relative to the question of liability of owners, to the effect that even with a compulsory pilot on board the captain should continue in charge of the ship, and the owner should be responsible for accidents, *Bannister* 5690–5694. 5728–5745. 5784–5793.

Report, 1870—*continued.*

LIABILITY—continued.

4. *Suggestions for the Liability of the Owner, &c.*—continued.

Grounds for condemning the law of immunity of the owner when there is a compulsory pilot on board, witness contending that the pilot should never supersede the captain, *Ford* 7178–7195. 7241–7245——With or without compulsory pilotage the immunity should cease, *ib.* 7241–7246——Opinion that the shipowner should be liable in cases of accidents, with or without a pilot, *Mallett* 7572–7580——Willingness of witness to be held liable for accidents when a compulsory pilot is employed, *Cochrane* 9818–9828.

5. *Objections to the foregoing Proposition:*

Opinion that uniformity of the law of liability cannot be secured short of the abolition of compulsory pilotage, *Farrer* 449–452——Exemption of the owner from liability adverted to as a logical consequence of the compulsory employment of a pilot, *ib.* 548–550——Further statement as to the obstacle to securing liability in the owner concurrently with the obligation to take a pilot; removal of some ground of objection if this could be done, *ib.* 623–631. 654.

Opinion as to the injustice of fixing liability on the owner when there is a compulsory pilot on board, *Judkins* 2145–2150. 2263–2267. 2345, 2346——Question whether immunity from liability concurrently with compulsory pilotage would be approved by owners in Liverpool; diversity of opinion on this subject on the part both of sailing shipowners and steam shipowners, *Squarey* 2523–2541. 2571–2579. 2601, 2602——Objection of most of the steam shipowners in the Mersey to their being liable to accidents if there be compulsory payment of pilotage, *Lamport* 3780–3786——Hardship in making owners responsible when there is a compulsory pilot on board, *Henderson* 4967–4971.

Grounds for dissenting from the view that the owner should be liable when there is a compulsory pilot on board; relative functions of the pilot and captain adverted to hereon, *Lumsden* 6119–6126. 6196–6204. 6211–6214. 6224–6233. 6529–6268——Objection to the owners being responsible for negligence in the pilot, *Drew* 6833, 6834——Decided objection to the shipowner being responsible when there is a compulsory pilot on board, *Taylor* 8007–8012.

Conclusion that notwithstanding the mischievous effect of giving sole charge to the pilot, and of exempting the owner from liability, under the compulsory system, such exemption is only just, *Duncan* 9563–9567. 9576–9582; *Leyland* 9964–9972. 10065–10074. 10184–10193; *Inman* 10248–10255. 10380–10382——Approval of the owner being liable if he may select his pilot, but not otherwise, *Beach* 10910–10913.

6. *Suggested Liability concurrently with Compulsory Payment:*

Statement in favour of the provision in the Merchant Shipping Code abolishing the immunity of the owner for the fault of the pilot; argument in support of the liability of the owner concurrently with compulsory payment for pilotage, as distinct from compulsory employment of a pilot, *Lamport* 3581–3583. 3597–3608. 3665–3667. 3682–3684. 3720–3727. 3791–3793.

7. *Suggestions for enlarged Liability, as by the Adoption of voluntary Pilotage:*

Evidence as to the advantage of enlarged liability in the shipowner, without undue supervision or control by Government; liability of railway companies adverted to hereon, *Farrer* 250, 251. 449–452. 489–493. 551–558. 601–608. 684–686——Expediency of applying generally by legislation the principle of liability of shipowners, instead of leaving it to the several local authorities to act as they please in the matter, *ib.* 694–699. 852——Uselessness of attempting to retain compulsory pilotage concurrently with an abolition of the immunity of the ship, *ib.* 751, 752. 852.

Expediency in any case of the liability clause of the Merchant Shipping Act being repealed; belief that with such repeal the opposition to the abolition of compulsory pilotage would soon disappear, *Sir F. Arrow* 1402–1408——Statement in favour of the owner being liable in the event of his being compelled to employ a pilot, whilst it would be unjust to make him liable if the pilot were a compulsory one; conclusion also as to the expediency of control of the pilot by the captain, *Leyland* 9964–9972. 10056. 10065–10074. 10138, 10139. 10184–10193. 10213–10218——Objection to compulsory pilotage as involving immunity of the owner in case of collision; expediency of the owner being liable, as one of the advantages of optional pilotage, *Robinson* 12779–12788. 12807. 12839–12844. 12854–12858.

8. *Considerations as to the relative Position and Functions of the Master and Pilot, with reference to the Question of Liability of the Owner:*

Doctrine laid down by the courts as to the necessity of masters or captains obeying the orders of the pilots, *Farrer* 45, 46——Views of the Elder Brethren of the Trinity House as to the expediency of interference by the master under certain circumstances, *ib.* 55——Practice of some of the large steamers out of Liverpool in regard to holding the

Report, 1870—*continued.*

LIABILITY—continued.

8. *Considerations, &c. with reference to the Question of Liability, &c.*—continued.

the master responsible, as well as the pilot, *Farrer* 364, 365——Improvement if the master of the ship were required by law to interfere if he saw that danger was being incurred by the pilot, *ib.* 495. 615, 616——Duty of the master of a ship to act irrespectively of a compulsory pilot on board if he sees that the latter is evidently in the wrong, *Sir F. Arrow* 1690–1697.

Explanation as to the supervision and control still exercised by witness after taking a pilot on board; relative responsibility of the captain and pilot adverted to hereon, *Judkins* 2021, 2022. 2107–2109. 2131–2137. 2145–2150. 2179–2182. 2258–2277. 2328–2346——Opinion that the proper functions of the pilot is to advise the captain, and not to undertake the entire navigation of the ship, *Squarey* 2380–2383——Expediency of the master having full control or command when a pilot is on board, though he cannot be expected to know all dangers of the navigation, *Hills* 2787–2789.

Explanation as to the relative position and responsibilities of witness and of the pilot on board; objection to any increase of the responsibility of the captain, who has quite enough already, *Ballantine* 3012–3018. 3032–3034. 3111, 3112. 3116–3120——Relative functions of the captain and pilot adverted to; inexpediency of the latter being supposed to supersede the former in the command, *Danson* 3188–3191. 3314–3317——Statement opposed to the theory that the pilot should supersede the captain in the management of the ship; suggestion that the proper function of the former should be to advise, *Lamport* 3667, 3668. 3682–3684. 3687–3693.

Varying practice in the Clyde as to the degree of control exercised by the pilot; impression that the latter rather than the master should be the one to act in case of emergency, *Henderson* 5031–5043——Approval of the complete charge vested in the pilot, *Allan* 5299–5301——Practice of witness (as pilot) to give orders, the captain supplying the required information and assistance, *McKelvie* 5416–5420——Responsibility still resting with the captain when there is a pilot on board, *Drew* 6825–6832.

Opinion that the management of the vessel should rest with the pilot rather than the captain, *Millen* 7299–7306——Statement to the effect that witness does not consider the pilot should supersede the captain in the command, *Mullett* 7670–7686——Degree of control and command exercised by the pilot, though he does not supersede the captain, *Castle* 7723–7730——Opinion that when a pilot is on board a ship he should be entrusted with the entire control and responsibility, *Taylor* 7938, 7939.

Opinion that the pilot should have the sole charge of the ship in crowded waters, *Pattison* 9000——Advantage in the captain not giving up sole charge to the pilot, *Duncan* 9711–9714——Witness would never allow a pilot to interfere with his command of his own ship, *Reynolds* 11021——Expediency of the master having full control over his vessel in pilotage waters, *Holt* 11089. 11095–11098.

9. *Question of Remedy against the Pilot:*

Remedy of the shipowner against the pilot under the proposed abolition of compulsion, *Farrer* 810, 811——Doubtful effect of the clause in the Merchant Shipping Bill as to the limit of the liability of pilots, *ib.* 888——Proposal in the Merchant Shipping Bill that the pilots shall have two sureties to the bond of 100 *l.* given by them, *Sir F. Arrow* 1625, 1626. 1874, 1875——Instances of licensed pilots perfectly unable to meet their liabilities for accidents, *ib.* 1869, 1870——Objection to unlimited liability of pilots under a voluntary system, *ib.* 1873.

Contemplated liability of the pilot to the local authority, *Danson* 3186, 3187. 3264——Circumstance of the Liverpool pilots being liable to the full extent of their means, many of them being possessed of property, *Bremner* 4684–4686——Reference to the liability respectively of the pilot and of the underwriters, in case of collision or loss, *Castle* 7715–7718.

Opinion that the pilot should be no more liable for damage than the shipmaster, *Barfield* 8298——Conclusion that a ship run down should be able to recover from the owner of the other ship, the pilot being liable to the latter for 100 *l.*, *Daines* 8516–8519——Practical character of witness's liability up to 100 *l.* (as pilot in the Thames); objection to unlimited liability, *Pattison* 8866–8873. 8988–8995.

10. *Extent of Liability of the Underwriter:*

Liability of the underwriter of a ship, which runs down another ship, for three-fourths of the claim, one-fourth falling upon the owner, *Tozer* 8268, 8269.

11. *Liability in respect of Loss of Life:*

Frequent instances of claims against owners for compensation in respect of loss of life, *Farrer* 603, 604.

Report, 1870—*continued.*

LIABILITY—continued.

12. *Suggestions for an increased Immunity of Owners:*

Opinion that a shipowner having taken all precautions against accident should not be liable, irrespectively of compulsory pilotage, *Shallcross* 3545-3554——Suggestions for amending the present system as to liability for accident when there is a pilot in charge; opinion favourable to an increase of the immunity of the owner, *Tozer* 8183–8189. 8228–8231. 8235-8241.

13. *Conclusions of the Committee:*

Consideration of the law as to the exemption of the shipowner from liability for damage done by his ship when placed by compulsion in charge of a pilot, *Rep.* v–vii——Conclusions as to the very mischievous operation of this state of the law; sundry illustrations in support of the strong condemnation expressed by the Committee, *ib.* vi–viii——Several foreign countries in which compulsory pilotage does not carry with it exemption from liability, *ib.* viii——Circumstance of some of the strongest supporters of compulsory pilotage being decidedly of opinion that the present exemption from responsibility should be done away with, *ib.*

Very general concurrence of opinion on the part of the witnesses from Liverpool as to the great evil of the immunity of the owner from liability for damage when the ship is in charge of a compulsory pilot, *Rep.* xix, xx——Preponderance of evidence from Liverpool to the effect that under a compulsory system the owner cannot justly be made liable for the acts of the pilot, *ib.* xx——Changed views of the shipowners on the subject of immunity from liability, *ib.* xxvii.

Evil of the present legal relation between a captain and a compulsory pilot, *Rep.* xxvii——Expediency of the responsibity resting with the employer or owner instead of with the Government or pilotage authority, *ib.* xxviii——Great evil of the present pilotage system on the score of liability, *ib.*——Tendency to disaster through the captain being compelled to give up charge of his ship to a pilot, *ib.* xxix.

Impracticability of dealing with the law of liability save by Imperial legislation, *Rep.* xxix——Great opposition expected from shipowners if it were sought to make them liable for the acts of pilots compulsorily employed, *ib.* xxix, xxx.

Conclusion that the immunity from liability must stand or fall with the legal obligation to employ a pilot, *Rep.* xxx.

See also *Admiralty Vessels. Barges. Belgium. Canada. France. Holland. Litigation. North German Confederation. Pilots' Indemnity Fund. Safety of Life. Shipowners. "Spindrift," The. United States. Voluntary Pilotage.*

Licensed Pilots. Action expected to be taken by local authorities on the question of licensing a greater or less number of pilots, *Farrer* 229–238. 748. 972–981. 987–990——Expediency of the local authorities having power to limit the number of licensed pilots, and to protect them against unlicensed pilots, *Sir F. Arrow,* 1446–1448. 1453–1458. 1866——Approval of the examination and licensing of pilots being entrusted to the local authorities, *ib.* 1582, 1583——Concurrence in the view that the obligation to take a licensed pilot, if any at all be taken, is very desirable, *ib.* 1746, 1747. 1785-1788——Contemplated right in a licensed pilot to supersede an unlicensed pilot, *ib.* 1805, 1806.

Approval of the pilots being restricted in number by license, and being bound by a regulated price, whilst it should be optional in the shipowners not to employ them; denial that such system would be at variance with the principles of free trade, *Leyland* 9999–10005. 10024–10030. 10044–10047. 10219–10226——Contemplated limitation of the number of licensed men, *ib.* 10151, 10152——Preference of witness for licensed pilots; at the same time it should not be compulsory upon owners to employ them, *Inman* 10324–10335.

Approval of the licensing of pilots under a voluntary system, *Jones* 10618-10621; *Beckett* 11719, 11720——Contemplated licensing of pilots under a voluntary system, it being at the same time important to take great care in changing from one system to another, *Holt* 11201–11217.

Facilities under the Bill for regulating the number of pilots and for securing their attendance at their stations, *Sir F. Arrow* 11868–11872——Absence of hardship in compelling the men to keep to their stations, as they are protected by being licensed, *ib.* 11868–11874.

Evidence favourable to the licensing of pilots in the Thames, and to the charges being regulated by the local authorities in the event of the abolition of compulsory pilotage, *Robinson* 12792–12794. 12823–12827. 12911–12932.

Employment of 1,828 licensed pilots in districts where there is some kind of compulsion, whilst in those where there is no compulsion whatever the number is 1,066, *Rep.* iii.

See also *Local Authorities. Masters and Mates. Number of Pilots.*

Light

Report, 1870—*continued.*

Light Dues. Denial that as regards light dues dues a different principle is laid down as compared with the proposed option respecting payment for pilotage, *Farrer* 280–291 ——Important distinction between the question of compulsory payment for lights and for pilots, *ib.* 559–566.

Approval of compulsory payment for pilotage, on the same principle as compulsory payment for lights, *Ballantine* 3090——Similar principle involved in compulsory payment for lighthouses and for pilotage, *Lamport* 3607. 3694 ——Objection not only to the pilotage tax, but to the light dues, *Robinson* 12808–12811.

"*Lion,*" *The.* Case of the "Lion" adverted to, as involving the question whether she was exempt from liability for damages as being a passenger vessel, the passengers being the father-in-law and wife of the master, *Farrer* 78, 79.

Litigation. Unsatisfactory state of the law, as leading to endless litigation, upon the question whether either of two vessels in collision is bound to carry a pilot, and whether the damage is caused by the act of the pilot alone, *Farrer* 73–79——Absurd and oppressive litigation under the compulsory system, further adverted to, *ib.* 203.

Liverpool (Mersey Pilotage District):

I. *As to the present Pilotage Service, and its Administration:*

1. Establishment of Compulsory Pilotage under different Acts.
2. Argument that Compulsion applies only to Payment of Rates.
3. Constitution and Action of the Mersey Docks and Harbour Board as the Pilotage Authority.
4. Number of Pilots and Apprentices, and Amount of Work performed.
5. Evidence as to the Efficiency of the Service.
6. Evidence as to Inefficiency.
7. Pilot Stations.
8. Selection of Pilots.
9. Complaints, and their Investigation.
10. Pilotage Rates and Earnings of Pilots.
11. Annuity Fund, and Pensions.
12. Pilot Boats, and Boat Ownership.
13. Other Details generally.

II. *Exemptions from Compulsory Pilotage.*

III. *Examination of Masters and Mates for Pilotage Certificates.*

IV. *As to the Navigation of the Mersey:*

1. Concurrence of Testimony as to the exceptional Difficulties and Dangers of the Navigation.
2. Evidence to the effect that the Navigation is not exceptionally hazardous.
3. Efficiency in the matter of Buoys, Lights, &c.

V. *Accidents to Piloted and Unpiloted Ships respectively.*

VI. *Relative Tonnage of Sailing Ships and Steam Ships.*

VII. *Enormous Trade of the Port.*

VIII. *As to the Question of Compulsory or Voluntary Pilotage:*

1. Concurrence of Evidence in strong Opposition to the Application of the Bill to Liverpool.
2. Local Feeling upon the Question at Issue.
3. Views of the Liverpool Pilots.
4. Efficiency respectively of Compulsory Pilots and of Licensed Masters and Mates.
5. Proposed Extension of the Compulsory Principle.
6. Effect of Voluntary Pilotage as regards the Rates.
7. Evidence in Approval generally of the proposed Adoption of Voluntary Pilotage.

IX. *Question of Compensation.*

X. *Summary by the Committee, and Conclusion arrived at in favour of the Application of the Bill.*

I. *As to the present Pilotage Service, and its Administration:*

1. Establishment of Compulsory Pilotage under different Acts:

Origination of the pilotage system of Liverpool by Act of Parliament in 1765 on all outward-bound vessels, *Squarey* 2349. 2361 ——Further Act in 1796, extending compulsion to inward-bound vessels, *ib.*——Summary of the chief provisions of the several

Report, 1870—*continued.*

LIVERPOOL (*MERSEY PILOTAGE DISTRICT*)—continued.

I. *As to the present Pilotage Service, and its Administration*—continued.

1. Establishment of Compulsory Pilotage under different Acts—*continued.*

Acts since 1796, there having been a Consolidation Act in 1858 by which the present pilotage system is worked, *Squarey* 2349–2352. 2361.

Failure of the voluntary system in the first instance, previously to the Act of 1765, *Danson* 3137. 3212–3214——Statement as regards the several Bills or Acts respecting pilotage in Liverpool, that the present Bill is the first which has ever been introduced for the purpose of abolishing compulsory pilotage, *Bremner* 4622–4630——Confirmation of the principle of compulsory pilotage by the Merchant Shipping Act of 1854, *ib.* 4628. 4632.

2. Argument that Compulsion applies only to Payment of Rates:

Examination with reference to the opinion that pilotage is not compulsory at Liverpool, but only the payment of rates, *Squarey* 2398–2435. 2444–2451. 2472–2476. 2496–2512——Penalty of double pilotage for refusal to take a pilot, *ib.* 2414–2417. 2427.

3. Constitution and Action of the Mersey Docks and Harbour Board as the Pilotage Authority:

Date of creation and mode of constitution of the Mersey Docks and Harbour Board adverted to, with reference to the part taken by the Board as the local pilotage authority, *Farrer* 307–317——Entirely public character of the Mersey Board, whereas it is opposed to voluntary pilotage, *ib.* 366–368——Belief that the system of pilotage government is extremely good, *ib.* 722.

Constitution of the Mersey Docks and Harbour Board as the pilotage authority by the Act of 1858, *Squarey* 2352, 2353. 2356——Working of the pilotage system by a committee of twelve members, eight of whom are taken from the Mersey Board, and four are persons specially conversant with pilotage and shipping matters, *ib.* 2350–2356. 2359, 2360——The proceedings of the committee are brought up weekly for confirmation at the meetings of the Board, *ib.* 2356.

Power of the Dock Board to make bye-laws, subject to the sanction of the Board of Trade, *Squarey* 2357, 2358—— Examination of the pilots by a sub-committee of the Pilotage Committee, *ib.* 2359——Absence of pecuniary interest in the Mersey Board in maintaining compulsory pilotage, *ib.* 2481, 2482——Power of the Mersey Board, with the approval of the Board of Trade, to amend details in the present pilotage system, *ib.* 2542–2546. 2603–2605.

Statement as to the Mersey Board and the Pilotage Committee having no interest whatever in the pilotage, *Hills* 2780–2784——Impression that there are more sailing shipowners than steam shipowners on the Mersey Board, *Lamport*, 3718, 3719——Statement as to there being every facility given to steam shipowners to become members of the Mersey Board, though there may be but few owners on the board, *ib.* 3716–3719——Explanation that there are more steam shipowners than sailing shipowners on the board, *Moss* 3805–3807.

4. Number of Pilots and Apprentices, and Amount of Work performed:

Total of 284 pilots, including licensed apprentices, there being also thirty-four unlicensed apprentices, *Moss* 3825–3830——Reduction being effected in the number of apprentices and of pilots on account of the earnings falling off from several causes; adequate supply maintained for the necessities of shipping, *ib.* 3832–3842. 4013–4035——Explanation as to there being different classes of pilots for vessels of different sizes, *ib.* 3897–3906.

Average of forty-eight or fifty vessels piloted yearly at Liverpool by each pilot, there being also other work to do, *Simpson* 4265–4269. 4501–4507. 4546–4548. 4566–4568——Increase in the number of pilots within the last ten years, steps being now taken to reduce the numbers; question hereon as to there being sufficient work for the staff, *ib.* 4493–4513. 4546–4548. 4566–4568.

Grounds for the conclusion that there are more pilots than are required for the service of the port; power of the pilotage committee to prevent abuse on this score, *Holt* 11146–11154. 11218–11222——Evidence as to the unduly large number of pilots, witness for instance, not being actually engaged in piloting for more than forty days in the year; particulars hereon as to the time wasted on shore and in the boats, *Beckett* 11588. 11598–11605. 11737–11744. 11751–11761. 11774–11778——Unduly large number of apprentices hitherto, *ib.* 11704–11714——The service might be conducted with from eighty to 100 less pilots, *ib.* 11753, 11754.

Apparently excessive and extravagant scale upon which the Liverpool pilotage service is conducted, *Sir F. Arrow* 11863. 11874–11877. 11894–11897.

Denial that the pilots have not full occupation for their time both at sea and on shore, *Davies* 12967–12972.

Testimony

Report, 1870—*continued.*

LIVERPOOL (*MERSEY PILOTAGE SERVICE*)—continued.

I. *As to present Pilotage Service, and its Administration*—continued.

5. Evidence as to the Efficiency of the Service:

Testimony borne by Admiral Evans to the efficiency of the pilotage service of the Mersey, *Farrer* 349–352——Thorough efficiency of the Liverpool pilots; absence of complaints against them, *Judkins* 1972–1975——Value of the apprenticeship served by the pilots, *ib.* 1998–2004. 2045–2047. 2124, 2125. 2208.

Result of witness's experience that he knows no port where the pilotage system has so effectually met the necessities of shipping as at Liverpool, *Hills* 2723——Obstacle to the proper training of apprentices unless the boats went out in fine weather, *ib.* 2765–2768——Great efficiency of the pilotage service, *Ballantine* 2964–2972. 3109, 3110——Probability that on a certain occasion witness's ship would have run upon a sunken wreck had he not had a pilot on board, *ib.* 2991–2994.

Satisfaction of the underwriters with the present pilotage system of the port, *Danson* 3124–3126. 3148——There might be some changes for the better, but on the whole the system is a very good one, and is very well administered, *ib.* 3148——Necessity of regulations for the maintenance at all times of a large and efficient staff, *ib.* 3174–3179——Adequacy of the earnings of pilots to induce zeal and efficiency, *ib.* 3402–3408.

Decided efficiency of the present service, *Shallcross* 3430, 3431. 3438, 3439. 3486, 3487——Great value of the training and practical knowledge of the Liverpool pilots; advantage as compared with the knowledge of masters or captains who are only in the port occasionally, *ib.* 3438. 3455, 3456. 3502–3505. 3512. 3516. 3540–3542——Great satisfaction given by the present pilot service of the port, though it is capable of some amendment, *Lamport* 3561–3564. 3594.

Constant service at sea of nearly half the staff at a time, *Moss* 3831. 3907——Very few complaints either against the pilotage rates or the service, *ib.* 3849–3851. 3866——Dissent from a statement that in managing the outward pilotage, there is much waste of the pilot's time on shore, *ib.* 3938–3944——Almost universal satisfaction given by the system, *Galloway* 4069, 4070.

Statement of the training and qualifications of the pilots, *Simpson* 4167–4171——Decided opinion as to the efficiency of the Liverpool pilotage service, and as to the necessity of continuing the present system, *Admiral Evans* 4584–4591——Intimate knowledge of witness as to the pilotage service in the Mersey; its efficiency, *Taylor* 7945, 7946. 8157–8161——More efficient pilotage service in the Mersey than in the Thames, *Duncan* 9728——Great efficiency of the pilots, *Marwood* 10478.*10485.

Inaccuracy of the statement by the witness Beckett, that the pilot boats avoid the small vessels in order to supply large ones, *Davies* 12962–12965——Explanation of Beckett's statement as to the pilots not taking regular turns, *ib.* 12966.

6. Evidence as to Inefficiency:

Inefficiency of many of the Liverpool pilots; heavy losses of witness through their negligence, *Leyland* 10039–10041. 10132–10135. 10140–10143——Instances of incompetency on the part of compulsory pilots on board witness's ships, *Inman* 10246, 10247——Frequent complaints made by witness as to the pilots, some of whom are very inefficient; explanation as to his having postponed formal complaint in a recent case of collision, *Bouch* 10964–10972. 10992–11005——Waste of the pilot's time under the present regulations, *Holt* 11147. 11150——Grievance in witness being required, on account of the tonnage of his vessel, to take an apprentice pilot at Liverpool, instead of a thoroughly competent pilot, *Chaddock* 11410–11417. 11480–11492. 11546, 11547.

Partiality and favouritism in the employment of the pilots, some doing much more work than others, though the earnings of each boat are equally divided, *Beckett*, 11591–11597. 11789–11798——Statement as to the pilot boats giving a preference to large vessels; similar tendency under an optional system, *ib.* 11671–11694.

7. Pilot Stations:

Exceedingly efficient operation of the Liverpool system of pilot stations, pilots being invariably found when wanted, *Judkins* 1956–1962. 1970, 1971. 2138——Excellence of the system of pilot stations; belief that without them there would be nothing like the same efficiency or security, *Hills* 2673–2676——Admirable working of the system of pilot stations, *Ballantine* 2966–2970; *Shallcross* 3439; *Galloway* 4078.

Opinion as to the maintenance of pilot stations being essential, *Lamport* 3568——Improvement if some of the Liverpool pilots were stationed in the Channel, as far down as Tuskar, *ib.* 3594–3596. 3656–3662. 3685, 3686——Value of the boat stations, which are all to be retained, *Moss* 4031–4033.

Way in which the system of boat stations is worked, *Simpson* 4202–4205. 4395. 4508–4513——Check applied, in order to see that the boats keep their stations; very few complaints on this point, *ib.* 4206–4213——Forcible illustration, during a gale in 1866, of the excellent operature of the system of stations as a means of preventing casualties; small pilotage charges involved on this occasion, *ib.* 4222–4237.

LIVERPOOL (MERSEY PILOTAGE DISTRICT)—continued.

I. *As to the present Pilotage Service, and its Administration*—continued.

7. Pilot Stations—*continued.*

Instances of the pilots not being at their stations when wanted, *Leyland* 9986, 9987. 10018. 10163–10165——Suggestions as to the amendments desirable in the system of boats and stations under a non-compulsory system; advantage of a boat going down the Channel as far as Tuskar, *Jones* 10554–10563. 10591–10599. 10659, 10660. 10671–10678——Circumstance of the Bill not proposing to interfere with the power of the Mersey Board, or to provide cruising stations; duty of the pilot to be at his station, though it should be optional in the shipowner as to employing him, *Bouch* 10929–10936. 10973–10975.

Inconvenience of the pilot stations, as regards sailing ships, *Chaddock* 11448——Amendments contemplated in the system of stations, witness proposing, amongst other alterations, that there be a station at Tuskar, or some other point in the Channel, if the pilots wish to go there, *Beckett* 11586, 11587. 11606–11610. 11631–11637. 11672–11697. 11703. 11715–11718. 11762–11773. 11799–11826.

8. Selection of Pilots:

Explanation on the subject of the employment of two selected pilots by witness's company, these being taken on to Londonderry, and picked up there on the return voyage, *Ballantine* 3035–3053. 3077–3085. 3104–3108. 3121——Special arrangements by which some of the large steam-ship companies are allowed to have selected pilots; check upon the average earnings of these, *Simpson* 4247–4253. 4301–4323. 4374–4379——Explanation as to special pilots not being attached to witness's ships at Liverpool, *Taylor* 7966, 7967.

Explanation as to witness now having a choice of pilots; difficulty experienced before this permission was granted by the pilotage committee, *Inman* 10239–10245. 10286–10289. 10298–10300——Difficulty in providing that sailing ships coming to Liverpool should have a choice of pilots, *ib.* 10290–10295——Statement as to the pilots coming a distance of 240 miles to meet the ships, without making any extra charge, *ib.* 10263–10267. 10294–10297. 10375–10377.

Grievance under compulsory pilotage on account of the necessity of taking the first pilot that offers, whether he is a capable man or not, *Bouch* 10881–10885. 10992–10996——Way in which there would be facilities to ships generally for carrying out a selection of pilots under a voluntary system, *Holt* 11136–11141. 11188–11197——Limited extent to which there is any selection of pilots at Liverpool, *ib.* 11194–11200.

List of Liverpool pilots appointed for special and permanent service in steamers, *App.* 563.

9. Complaints, and their Investigation:

Careful investigation of complaints against individual pilots, offenders being duly punished, *Galloway* 4071–4073—— Several complaints made against individual pilots; excellent effect of the punishment and publicity in these cases, *Simpson* 4214–4221. 4330–4333. 4397–4405——Total of forty-six complaints in 1869, *ib.* 4215, 4216——In 1869 six pilots were suspended, one reduced, and one dismissed, *ib.* 4333.

Inadequate redress received when complaints have been made, *Bouch* 10967–10970. 10992–10998——Conscientious action of the pilotage committee in following up complaints against pilots, though severer measurers might sometimes be adopted; modes of punishment adverted to, *Holt* 11174–11183. 11192, 11193. 12259–12264——Very improper manner in which complaints against pilots are dealt with by the Mersey Board or the pilotage committee; suggestions hereon for an improved constitution of the pilotage tribunal with reference to the investigation of accidents and complaints, *Leyland* 10041. 10089–10116. 10127–10133. 10194–10198——Comment upon the mode of inquiry by the pilotage committee into complaints, *Inman* 10246. 10299–10308.

Return of all complaints against pilots by the owners of steam and sailing vessels for negligence, &c. during the years 1868 and 1869, *App.* 560, 561.

10. Pilotage Rates and Earnings of Pilots:

Opinion as to the earnings of the Liverpool pilots being none too much, *Ballantine* 3021, 3022——Very moderate rates, *ib.* 3092; *Watson* 10876——Very small cost of the staff with reference to the enormous value at risk, *Danson* 3175, 3176. 3409, 3410——Very moderate earnings of the Liverpool pilots, the average being under 200 *l.* a year, *Lamport* 3663, 3664.

Annual earnings of the different classes of pilots; serious reduction through the abolition of differential rates, *Moss* 3821–3823. 4036, 4037——Total of about 53,000 *l.* as the pilots earnings in 1869, *ib.* 3824 —— Very moderate pilotage rates at Liverpool; necessary increase of these under a voluntary system, *Galloway* 4112–4125——Economy of the service, *Simpson* 4239. 4254–4264—— Lower pilotage rates at Liverpool than at London, Cardiff, or New York, *ib.* 2594–4263.

Payment

Report, 1870—*continued.*

LIVERPOOL (MERSEY PILOTAGE DISTRICT)—continued.

I. *As to the present Pilotage Service, and its Administration*— continued.

10. Pilotage Rates and Earnings of Pilots—*continued.*

Payment of about 1,800 *l.* or 2,000 *l.* a year by witness's firm for pilotage, *Leyland* 10219——Witness's company pay 370 *l.* a year for each pilot, whereas the latter only receives about 180 *l.*, *Inman* 10256, 10257——Grievance in the Liverpool pilots not having all their earnings, *Marwood* 10478–10480.

Payment of 340 *l.* a year for witness's services as a selected pilot of the Inman Company, whereas he receives only about half; complaint hereon, *Jones* 10523–10526. 10533, 10534. 10573–10581. 10588–10590. 10645–10658——Worse position of the pilots in 1872, when the compensation for differential dues ceases, *ib.* 10548–10550. 10566——Non-complaints as to the amount of the pilotage rates, *Bouch* 10896, 10897. 10958–10962.

Opinion that the present rate of charge is high, considering the service rendered, *Holt* 11103–11105. 11159–11164. 11290——Suggestion that in levying the pilotage charge tonnage as well as draught might be the basis of the charge, *Chaddock* 11544–11546. 11557–11563——Witness does not say the rates are excessive, *Sir F. Arrow* 11896——Inaccuracy of the statement by the pilot Henry Jones, as to the amount of his net annual receipts for pilotage, *Davies* 12938–12940.

Returns for 1865 and 1869, relative to the earnings of the pilots, &c., *App.* 572.

11. Annuity Fund, and Pensions:

Payments whence the pilotage annuity fund is created, and way in which administered by the Board, *Squarey* 2362–2366——Particulars relative to the pilots' annuity fund, its amount, and how constituted and administered, *Simpson* 4270–4280——Grant of pensions to pilots when infirm from other causes as well as age; very small proportion superannuated, *ib.* 4534–4537——Calculation of the pensions at the rate of 1 *l.* for each year of service, *ib.* 4538–4541——Compulsion upon the Mersey Board to grant a pension upon the scale laid down by bye-law, *Bremner* 4637–4644.

Statement of the current expenses of the annuity fund, and number of annuitants on 1st January 1870, *App.* 564——Average pensions of pilots, and of widows and orphans, on 1st January 1870, *ib.*

12. Pilot Boats, and Boat Ownership:

Views of Mr. Forwood and of Captain Graham Hills, also of the Pilotage Commission of 1836, cited as showing the mischievous operation of the Liverpool pilot-boat system; conclusion as to the importance in any case of abolishing the system, *Farrer* 713–718. 998–1000——Ownership of about one-third of the shares by persons who are no longer acting pilots, *ib.* 714——There are now twelve boats, their value being about 30,000 *l.*, *ib.*——The sum actually invested in the boats is about 90,000 *l.*, *ib.*

Explanation of the provisions relative to the ownership of the pilot boats, and the regulations as to the sale of shares, *Squarey* 2367–2373——Expensive and efficient character of the pilot boats, twelve in number, *Moss* 3843–3846. 3907–3910——Practice as to the division of the earnings of each boat among the men, *ib.* 3847. 3911. 3926–3937.

Information relative to the shares in which the twelve pilot boats are owned, and the system of division of the earnings of each pilot, *Simpson* 4172–4178. 4316–4323——Ownership of the boat shares by retired pilots and by acting pilots, *ib.* 4178. 4380, 4381——Total of 768 shares representing a value of 90,700 *l.*, *ib.* 4178–4182——Average earnings at the rate of 12½ per cent. upon the market value of the shares, subject to deduction for depreciation and insurance, *ib.* 4183–4196. 4447–4464.

Nature of the security for the maintenance of efficient boats and for the prompt replacing of worn-out boats; great efficiency obtained under the system, *Simpson* 4198–4201. 4336–4339. 4382–4394. 4406–4411——Examination relative to the enhanced value of the boat shares as compared with the cost of the boats; admission that the system of ownership requires correction, *ib.* 4340–4354. 4412–4414. 4428–4438. 4447–4461.

Particulars relative to the amount paid by the pilots for their boats, and the enhanced value now represented by the shares, *Bremner* 4649–4659——Total of 55,960 *l.* paid for boats at different times since 1824, the twelve boats now in use having cost 28,960 *l.*, *ib.* 4652, 4653——Cause of the competition for boat shares; great incentive of the system to industry and frugality, *ib.* 4660, 4661, 4664–4666——The shares have been as high as 145 *l.*, the present value being 118 *l.*, *ib.* 4654–4658. 4734–4736——Error of Mr. Farrer in stating that some of the boat owners were not pilots, *ib.* 4661–4663.

Exception taken to the practice whereby large deductions are made from the pilots' earnings towards the boat owners, *Inman* 10256–10258. 10319. 10338. 10343, 10344. 10347. 10433–10436——Statement as to the unduly enhanced value of the boat shares, on account of the large dividends paid, and as to the boats not being properly efficient, *ib.* 10319–10323. 10401–10422. 10445–10451.

Report, 1870—*continued.*

Liverpool (Mersey Pilotage District)—continued.

I. *As to the present Pilotage Service, and its Administration*—continued.

12. Pilot Boats, and Boat Ownership—*continued.*

Evidence favourable to the Bill as compelling the break up of the boat owning system in the Mersey; details hereon as to the very objectionable and unjust working of the system in diverting a large portion of the pilots' earnings, *Jones* 10527 *et seq.*——Explanation that witness does not object to the earnings of the same boat being equally divided, and merely objects to the deduction for the boat owners, *ib.* 10582–10587. 10622–10624. 10628–10633.

Dissatisfaction of some of the Liverpool pilots in regard to the deduction from their earnings for the owners of the boats, *Reynolds* 11078–11081; *Chaddock* 11428, 11429——Opinion that the system of boat-owning is very unsound, though if it be abolished compensation should be provided, *Holt* 11237–11240. 11249–11253. 11276–11281.

Strong objection on the part of 164 pilots who are not boat owners to the system of boat-owning; evidence in support of such objection, *Beckett* 11582–11585. 11617–11621. 11638–11641. 11833–11836.

Paper containing particulars relative to the pilots' ownership of pilot boats, and the mode of division of the earnings, *App.* 563——List of pilot boat owners in February 1870, showing the number of sixty-fourth shares held by each, *ib.* 573, 574——Return of the number, tonnage, price, &c. of the pilot boats, *ib.* 575.

13. Other Details generally:

Discussion at the Mersey Docks and Harbour Board in June 1868 upon the subject of the negligence of pilots, and their liability, *Farrer* 139, 140——Origin of the pilotage system adverted to, *ib.* 247–249.

Statement as to the modes of distribution by the Mersey Board of the sums derived from pilots' licenses, and from fines and penalties, *Squarey* 2362–2364——The receipts from the licenses, &c. are all disbursed again in the pilotage system, *ib.* 2364.

Statement as to the compulsory pilots generally leaving outward-bound vessels at the Bell Buoy, and as to their being two boats with voluntary pilots available beyond that point, *Hills* 2864–2884——Absence of any supply of unlicensed pilots at Liverpool, or along the coast to Port Linas, *ib.* 2929–2938——Practice of some inward-bound ships to take voluntary pilots in the Irish Channel, and to bring them on to Liverpool, in addition to the compulsory pilots taken at the Bell Buoy, *ib.* 2939–2950.

Arrangement as to the same pilot being taken by a ship outward bound who has already piloted her into port, *Simpson* 4246. 4514, 4515——Necessity for pilotage beyond the Bell Buoy; facility recently given in this respect, *ib.* 4441–4444——Frequent actions against the pilots, the justices having summary jurisdiction up to 50*l.*, *Bremner* 4687–4689.

Order in Council, dated 26th June 1861, confirming pilotage bye-laws of the Mersey Docks and Harbour Board, *App.* 535——Schedule of bye-laws with respect to pilots, pilot boats, and pilotage, *ib.* 535–541.

II. *Exemptions from Compulsory Pilotage:*

Exemption of coasters under 100 tons from the compulsory pilotage, under the Liverpool Pilotage Act, provided they have been in the coasting trade for six months, *Farrer* 136, 137——Arrangement in 1854 between steamship owners at Liverpool and the pilotage commissioners whereby the former agreed to pay reduced pilotage rates on being relieved from the obligation to take a pilot, the owners being liable in case of damage, *ib.* 143–146.

Large number of vessels in the Mersey which do not take pilots, and do not require them, *Hills* 2790, 2791——Inconsistency of the exemptions from compulsory pilotage; witness however would not now abolish all exemptions, *Lamport* 3635, 3636. 3655. 3734, 3735——Saving of rates by coasting steamers under optional pilotage; risk incurred thereby, *Moss* 3950–3971.

Steps taken by the Mersey Board in order to meet the complaint that coasters should be six weeks in the trade in order to constitute them as coasters, *Simpson* 4282, 4283——Exemption of certain steamers from obligation to take pilots if in the coasting trade, *ib.* 4415——Exemption not only of coasters under 100 tons, but of all coasters in ballast, *ib.* 4466.

Statement as to coasting steamers paying only half rates when they take pilots; this is an old regulation, and the payment has not been complained of, *Simpson* 4467–4469. 4486–4491——Explanation that the Mersey Board is not responsible for not compelling the home trade passenger ships to take pilots, these vessels paying a rate of only 1*s.* a foot; anomaly in the matter of this payment, *ib.* 4470–4483,

Increased

LIVERPOOL (*MERSEY PILOTAGE DISTRICT*)—continued.

II. *Exemptions from Compulsory Pilotage*—continued.

Increased facilities for exemption given under the Amendment Act of 1862, though such facilities have not been put in operation, *Bremner* 4628–4630. 4632——Statement as to the obligation to carry pilots having never been forced upon coasting passenger steamers, witness disapproving of this exemption, though there are but few accidents to these vessels, *ib.* 4754–4773——Exemption of vessels under 100 tons from compulsory pilotage, whilst those above 100 tons are obliged to take pilots, *Marwood* 10458–10461.

Complaint as to the coasting steamships of witness's company being subject to a charge for pilotage though never employing a pilot, *Johnson* 11306. 11311. 11316, 11317. 11380–11384——Examination relative to the agreement with the Liverpool pilotage committee by which witness's vessels pay a reduced pilotage rate of one shilling, though not using nor required to use a pilot; witness was not aware that there was any sanction of the Board of Trade for this charge, *ib.* 11322 *et seq.*; 11396, 11397.

Order in Council as to reduction of pilotage of coasting steamers, *App.* 542.

III. *Examination of Masters and Mates for Pilotage Certificates:*

Information in detail upon the subject of the grant of certificates to the masters and mates of steamships or passenger ships at Liverpool; correspondence on this matter between the Mersey Docks and Harbour Board and the Board of Trade, *Farrer* 146–165 —— Circumstances under which the Board of Trade formerly granted certificates freely, without examination, *ib.* 146–148. 730–737——Very restricted action of the Liverpool pilotage authorities in granting or renewing certificates; contrast as compared with London, Hull, and Glasgow, *ib.* 148–152. 154, 155.

Statement as to there being only ten masters and mates licensed; reference hereon to the great reluctance of the owners of steamships in the Mersey to have their masters and mates examined, *ib.* 297. 300–306. 317. 670. 744–747.

Belief that but for the immunity of owners many more masters and mates would apply to be examined for pilotage certificates, *Squarey* 2397; *Hills* 2726–2737——Very different examination at Liverpool of the pilots and of masters for pilotage certificates, *Hills* 2732, 2733. 2739, 2740——Ready facilities given for the examination of masters, *ib.* 2738——Exception taken to the system of examination for masters' certificates, *Danson* 3141–3143. 3293, 3294.

Full facilities given by the Mersey Board for the examination of masters and mates, *Simpson* 4254–4258. 4355–4359. 4368——Probability of the question of liability being the cause why so few masters apply to be examined, *ib.* 4355–4359.

Statement as to captains being deterred from applying to the pilotage committee for pilotage certificates, *Reynolds* 11029–11032——Explanation in regard to witness's captains not having been examined for pilotage certificates, in order to save the sum (from 350*l.* to 400*l.* a year) paid for pilotage rates; witness was not aware that the payment might thus be saved, *Johnson* 11322–11337. 11371–11379. 11387–11395. 11398—— Objection by captains to be examined, difficulties having been thrown in their way by the examining authority, *ib.* 11326–11329. 11336, 11337.

Schedule of bye-laws for the regulation of masters and mates of ships who have received pilotage certificates, *App.* 541, 542.

Correspondence in 1868 and 1869 respecting the examination of masters and mates for pilotage certificates, *App.* 542–550——Return of all applications to the Mersey Docks and Harbour Board from masters and mates for pilotage certificates between the 6th October 1859 and the 10th August 1868, *ib.* 546——Number of applications from masters and mates, and number passed, transferred, &c., *ib.* 564.

IV. *As to the Navigation of the Mersey:*

1. Concurrence of Testimony as to the Exceptional Difficulties and Dangers of the Navigation:

Evidence as to the peculiar dangers of the navigation of the Mersey, on account of the suddenness with which gales come on, of the fogs, and of the shifting character of the channels; conclusion that the difficulties are greater than in the case of the Bristol Channel or the Thames, *Judkins* 1983–1987. 1991. 1995. 2003–2010. 2077–2081. 2094–2096. 2151–2155. 2171–2178. 2185, 2186. 2244–2257——Very unsafe anchorage, *ib.* 1986, 1987——Frequency of very hazy weather, *Judkins* 2003, 2004. 2217; *Ballantine* 2987. 3104.

Information in detail relative to the shifting character of the channels of the Mersey, and the dangers generally of the navigation; conclusion that the navigation is more difficult and dangerous than that of the Thames, Bristol Channel, or any place in the kingdom, *Hills* 2655–2671. 2676. 2691–2721. 2743–2762. 2778. 2797–2805. 2891–2901. 2908–2914——Particulars as to the frequent surveys of the Mersey by witness, and as to the steps taken to utilise the knowledge acquired; practice as to surveys in the Thames

Report, 1870—*continued.*

Liverpool (Mersey Pilotage District)—continued.

IV. *As to the Navigation of the Mersey*—continued.

1. Concurrence of Testimony as to Exceptional Difficulties, &c.—*continued.*

adverted to hereon, *Hills* 2658, 2659. 2668. 2672. 2885–2890. 2915–2923——Continuous change going on in the Queen's Channel, and Queen's Channel bar, *ib.* 2660–2666——Great difficulty owing to the frequent haze caused by the smoke from the town, *ib.* 2747, 2748. 2778.

Great imprudence in going in or out of the port without a pilot; details hereon as to the exceptionally difficult and hazardous character of the navigation, *Ballantine* 2973 *et seq.*——Increased risk through the increased length of the vessels now built, *ib.* 2988–2990——There is no other port with such narrow channels and strong tides combined, *ib.* 2983———Danger through the frequent change in the channels, *ib.* 3028–3031——Inadequacy of charts for the navigation of the Mersey without a pilot, *ib.* 3097–3106.

Large extent of the channels of the Mersey, *Danson* 3132, 3133 — Belief that there is no other port in the world involving so dangerous a navigation as Liverpool; limited knowledge of witness as to the navigation of the Thames adverted to hereon, *ib.* 3135. 3252. 3277–3279. 3327–3332. 3345. 3422——Statement as regards insurance rates being higher on vessels from Bombay to the Clyde than to Liverpool; this is not a pilotage question, *ib.* 3253–3259——Very dangerous character of the navigation of the Mersey, *Shallcross* 3504. 3513. 3532–3542——Peculiar danger in entering the port of Liverpool, so that there is good reason for an exceptional pilotage service, *Lamport* 3641–3645. 3695–3698. 3737–3747.

Information relative to the enormous strength of the tides in the channels of the Mersey, the navigation being for this and other reasons of an exceptionally dangerous character, *Moss* 3808–3812. 3876, 3877. 3883–3891. 3900——Great increase in the number and tonnage of vessels frequenting the port, the traffic being chiefly carried on within two or three hours of high water, *ib.* 3813–3830.

Peculiar danger of the access to Liverpool, so that a voluntary system of pilotage would not answer there as in other ports, *Galloway* 4106. 4125–4129——Opinion that the navigation of the Mersey and approaches to Liverpool are more dangerous than in the case of any port of the kingdom; respects in which more dangerous than the approach to London, *Simpson* 4166. 4366. 4416–4427——Opinion that there is more danger to outward-bound than to inward-bound ships, *ib.* 4443.

Constant attendance and vigilance required in order to detect the frequent and minute changes that take place in the channel of the Mersey, *Admiral Evans* 4575–4581——Result of witness's experience nearly all over the world that the navigation to Liverpool is of a peculiarly dangerous and exceptional character; it is out of all question more dangerous than that of the Thames or Bristol Channel, *ib.* 4579–4583. 4596–4617——Circumstance of Liverpool harbour being already excepted from the control of the Board of Trade on account of its very exceptional character, *ib.* 4596——The tides are very strong, and there is no anchorage outside the bar with a north-east wind, *ib.* 4601–4604.

Peculiarly intricate and dangerous navigation of the Thames and the Mersey, *Taylor* 7929, 7930——Difficulties of the navigation of the Mersey, more especially to strangers, *Jones* 10605–10612——More dangerous navigation of the Mersey than of the Thames on account of the prevailing winds being from the westward, *Chaddock* 11445–11447.

2. Evidence to the effect that the Navigation is not exceptionally hazardous:

Conclusion that the pilotage of the Thames is fully as difficult as that of the Mersey, if not more so, *Farrer* 347, 348. 799, 800——Evidence to the effect that the navigation of the Thames (where the voluntary system answers) is more difficult than that of any other pilotage district, not excepting Liverpool; detailed examination hereon, with reference more especially to the navigation of the Mersey *Sir F. Arrow* 1482–1493. 1584–1594. 1781, 1843. 1848. 1858. 1935–1940——Probability of the navigation of the Mersey being more difficult than that of the Bristol Channel, *ib.* 1753–1758.

Opinion that the Thames is more dangerous than the Mersey on account of the greater intricacies in the channel, *Castle* 7736; *Tillman* 7772–7776——Denial that the navigation of the Mersey is exceedingly dangerous, *Leyland* 9985–9987. 10036–10038——Opinion that the difficulties of the navigation of the Mersey have been grossly exaggerated before the Committee, and that the Thames is a far more difficult navigation, *Watson* 10743–10746. 10751. 10837–10839.

Witness considers that the Mersey up to Liverpool is not at all a difficult navigation, the difficulty being in the Channel up to the Mersey, *Bouch* 10914–10918. 10949–10957——If the present bell beacon were removed and a light-ship put there the port would be as easy of access as any other in the kingdom, *ib.* 10918——Much greater difficulty in bringing a vessel into London than into Liverpool, *Reynolds* 11016–11021——Danger in the navigation to Liverpool, though not of a character to call for exceptional legislation, *Holt* 11106–11108.

Detailed

Report, 1870—*continued.*

Liverpool (Mersey Pilotage District)—continued.

IV. *As to the Navigation of the Mersey*—continued.

2. Evidence to the effect that the Navigation, &c.—*continued.*

Detailed information relative to the navigation of the Mersey, witness contending that the difficulties have been much exaggerated before the Committee, and that no exceptional case exists calling for compulsory pilotage, *Sir F. Arrow* 11837–11855. 11859. 11862. 11878——Greater difficulty of the navigation of the mouth of the Thames than of the Mersey, *ib.* 11840. 11846——The real difficulties are before the approach to the bar, *ib.* 11841——There is no difficulty as regards steamers, *ib.* 11841, 11842——The difficulties are confined to sailing vessels, and are rendered more easy by the extended use of tugs, *ib.* 11841–11845——Excellent anchorages possessed by the port, *ib.* 11841. 11859——Much greater difficulties of the approach to Calcutta than to Liverpool, *ib.* 11849.

Circumstance of witness having been frequently into the port of Liverpool whilst he had a pilot only once; he considers that compulsory pilotage is not necessary there *Johnson* 12267–12275——Much greater difficulty of the navigation of the Thames than of the Mersey, *Robinson* 12798.

3. Efficiency in the matter of Buoys, Lights, &c. :

Very excellent manner in which the Mersey is lighted and buoyed, *Judkins* 1955, 1956; *Danson* 3144–3147——Advantage of the careful buoyage of the river, *Shallcross* 3514–3517——Large expenditure by the Mersey Board in removing wrecks from the bar, *Moss* 3864, 3865.

Very complete superintendence exercised by Admiral Evans, as the acting conservator of the Mersey, *Galloway* 4057–4063——Constant shifting of the buoys; in one year no less than ninety-nine were shifted, *ib.* 4157——Care taken as to the shifting of the buoys, *Simpson* 4439, 4440——Very large and conspicuous buoys, the channel being beautifully marked, *Sir F. Arrow* 11841.

V. *Accidents to Piloted and Unpiloted Ships respectively :*

Large number of small vessels, without pilots, lost last year in going to Liverpool, whereas there was only one large ship lost with a pilot, *Judkins* 2049. 2110–2116. 2170. 2196, 2197. 2214–2216——Very large proportion of cases before the Admiralty Board contributed by Liverpool, *Squarey* 2440——Explanation that the collision cases which came for trial from Liverpool do not all occur in Liverpool waters, *ib.* 2478, 2479.

Conclusion as to there being a larger proportion of collisions in the case of unpiloted than of piloted ships, *Danson* 3273–3277——Of sixty-eight casualties in the Mersey district in 1869 only one occurred to a vessel with a pilot on board, *Galloway* 4066——Exceedingly small number of accidents in the case of piloted ships, *Simpson* 4543–4545.

Numerous and heavy loss of witness's firm owing to the negligence of the licensed pilots, *Leyland* 10039–10041. 10125, 10126. 10140–10143——Consideration of certain evidence as to the numerous accidents to vessels without pilots, as compared with the few accidents when compulsory pilots are employed; grounds for dissenting from the inferences drawn therefrom in favour of the compulsory system, *ib.* 10057–10064. 10076–10079. 10146–10150. 10199–10208——Explanation as to the apparently danger of vessels when not under charge of pilots; several instances on the other hand of piloted vessels going on shore, *Inman* 10867–10873. 10838–10897.

VI. *Relative Tonnage of Sailing Ships and Steam Ships :*

Much larger tonnage in sailing ships than in steam-ships in the Mersey, *Shallcross* 3426——Vast increase going on in the steam-shipping trade of the port, *Lamport* 3712–3715——Easier navigation of steam-ships than of sailing ships in the Mersey, the former being greatly on the increase, *Leyland* 9988–9991——Very large steam tonnage of the port, the amount being daily increasing, *Inman* 10282–10284.

Return of the total tonnage of sailing and steam vessels entered and cleared with cargoes and in ballast, in each of the years 1850, 1855, 1860, 1865 and 1868; enormous increase in the case of steamers, *App.* 557——Number and tonnage of sailing and steam vessels which belonged to the port in each of the years 1860–69; great increase of steam tonnage, *ib.* 575.

VII. *Enormous Trade of the Port :*

Estimate of 400,000,000 *l.* as the annual value of property inwards and outwards in the Mersey, *Danson* 3130, 3131——Estimate of 400,000 as the number of lives that pass in and out of the port yearly, *ib.* 3134.

Report, 1870—*continued.*

Liverpool (Mersey Pilotage District)—continued.

VIII. *As to the Question of Compulsory or Voluntary Pilotage:*

1. Concurrence of Evidence in strong Opposition to the Application of the Bill to Liverpool:

Examination in detail in support of the conclusion that it would not be safe to abolish compulsory pilotage in the Mersey, witness contending that under the voluntary system there would not be the same efficiency of pilots, and that they would not always be found where and when wanted, *Judkins* 1980 *et seq.*——Great importance of pilots on board all vessels going into Liverpool; illustrations of this, *ib.* 1980 *et seq.*——Respects in which compulsory pilotage in the Mersey adds to security of life; increased risks likely to be run if the pilotage rates could be avoided, *ib.* 1992–1994. 2011, 2012. 2014–2036. 2048–2052. 2103–2106. 2110–2123. 2201–2207.

Belief that under the optional system many masters would not take pilots, and that the efficient and numerous staff necessary for the Mersey could not be maintained, *Judkins* 2013–2020. 2187–2192——Numerous collisions in the Mersey if pilotage were not compulsory, *ib.* 2036. 2165–2170——Belief as to the impracticability of securing by means of regulations the same unfailing supply of efficient pilots, as under the compulsory system, *ib.* 2039–2047. 2054–2066. 2082 *et seq.*——Importance not only of an ample supply of pilots in the Mersey, but of their all being traind men and of assured efficiency; great risk on taking on board men of whose efficiency nothing is known, *ib.* 2102, 2103. 2159–2164. 2199, 2200. 2208. 2287–2296——Belief that under a non-compulsory system witness's company would equally employ pilots; question whether the other steamship companies of Liverpool would not also do so, *ib.* 2304–2327.

Opinion that under voluntary pilotage or under a free system it would be impossible to maintain and carry out the excellent regulations now so efficiently enforced, and that pilots would often not be found when most wanted, *Hills* 2677–2685. 2722. 2855–2863——Inadequacy of harbour regulations and instructions as a means of obviating the employment of pilots at any time before getting into dock at Liverpool, *ib.* 2717–2722——Great misgiving with which witness views the attempt to apply voluntary pilotage in the Mersey; belief that such system would render life and property more insecure, *ib.* 2724, 2725. 2741, 2742. 2779——Grounds for concluding that the employment of pilots would greatly fall off under the Bill, and that many masters and owners would run risks for the sake of saving the pilotage charge, *ib.* 2806–2834.

Expectation that if the pilotage were not compulsory many vessels would run risks in order to save the charge, *Ballantine* 2984, 2985. 3088–3113——Conclusion that under a voluntary system there would not be an available supply of pilots in bad weather, whereas the present organisation ensures a supply, *ib.* 2995–3011——Objection to any interference with compulsory pilotage at Liverpool, chiefly on the ground of danger to life, *ib.* 3088–3090. 3113.

Very decided opinion in favour of retaining compulsory pilotage in the Mersey; examination in support of this conclusion, *Danson* 3136 *et seq.*——Probability of about one-fourth or one-fifth of the owners not taking pilots when they consider the weather favourable, under an optional system; danger thus imparted to the navigation, which should be guarded against, *ib.* 3149–3152. 3215–3218. 3333–3344——Expediency of the imprudent as well as the prudent shipowner being required to contribute to the cost of the pilotage establishment, *ib.* 3164–3167. 3216, 3217.

Conclusion that without compulsory pilotage pilots would not always be found in bad weather, when most wanted, *Danson* 3168–3170. 3217–3226; *Shallcross* 3433. 3440–3445. 3458–3464——The increased losses under an optional system would greatly exceed the cost of the pilotage, *Danson* 3176——Argument that Liverpool should in any case be allowed to maintain a system proved to be so efficient, *ib.* 3196–3202——Further statement that witness looks upon compulsory pilotage in the Mersey as a matter of needful police, *ib.* 3213. 3231. 3246. 3249–3251. 3260–3262. 3288, 3289.

Grounds for the conclusion that under an optional system the service would not be efficient, nor the supply of pilots in proportion to the demand, *Shallcross* 3440–3445. 3458–3468. 3475–3491——Objection to the proposal for the abolition of compulsory pilotage, witness advocating compulsory payment, even though a pilot may not be taken, *Lamport* 3565–3593. 3597–3608. 3720–3733——Evidence in support of the conclusion that under optional pilotage pilots would no longer feel under any moral obligation to be out in bad weather, and that they would not be always found, as they now are, when most wanted, *ib.* 3569–3581. 3646–3662. 3676–3678. 3736–3773——Belief that a perfectly free system, in lieu of that proposed by the Bill, would never answer in Liverpool; nor has witness any confidence in the permanence of the regulations to be established by the Bill, *ib.* 3591–3593. 3622–3643. 3702–3707——Intention of witness in any case to employ pilots; imprudence of those owners who propose to escape the charge, *ib.* 3668–3672.

Conclusion as to the importance of maintaining the present compulsory system, an efficient supply of pilots not being at all likely to exist under optional pilotage, *Moss* 3852–

Report, 1870—*continued.*

Liverpool (Mersey Pilotage District)—continued.

VIII. *As to the Question of Compulsory or Voluntary Pilotage*—continued.

1. Concurrence of Evidence in strong Opposition, &c.—*continued.*

3852-3860. 3912-3915——Opinions recorded by Admiral Evans as to the great importance of compulsory pilotage in the Mersey, and as to the efficiency of the service, *Galloway* 4064-4066 —— Opinion that voluntary pilotage may be preferable to compulsory pilotage for some ports, but would be altogether inadequate in the case of Liverpool, and would not secure a proper supply of pilots for inward-bound vessels in bad weather, *ib.* 4074-4078. 4082-4088. 4100 *et seq.*——Concurrence in the view that there would not be the same moral obligation upon pilots to be out in bad weather, *ib.* 4082-4086 —— Effect of the present Bill to disorganise the whole pilotage system of the port, *Simpson* 4281.

Strong objections to an application of voluntary pilotage to Liverpool, though it may answer in many other ports, *Admiral Evans* 4590-4619 ——The voluntary system would involve great danger to life, *ib.* 4594——The present system works admirably, and witness would advise the Committee to let well alone, *ib.* 4618.

Opinion that the Mersey Docks and Harbour Board are the proper authority to deal with the pilotage of the port, *Bremner* 4632, 4633——Concurrence in the view that non-compulsory pilotage should not be forced upon Liverpool, *Allan* 5368-5371. 5389-5391.

Letter from Mr. McIvor to Mr. Graves, dated 13th June 1870, approving strongly of the present pilotage service in the Mersey, and offering sundry objections to a non-compulsory system, *App.* 576-579.

2. Local Feeling upon the Question at Issue.

Satisfaction of the Liverpool shipowners generally with their pilotage system; great dissatisfaction, on the other hand, of the steam-ship owners, *Farrer* 138, 139. 141-143 —— Conclusions of the Liverpool steam-ship owners in favour of the abolition of compulsory pilotage, *ib.* 142. 156.

Very general feeling among captains in Liverpool in favour of the present pilotage system, *Ballantine* 3023, 3024 ——General feeling among underwriters and shipowners in favour of retaining compulsory pilotage, *Danson* 3161-3163. 3229, 3230. 3245.

Unanimous opinion of the Shipowners' Association that compulsory pilotage should be retained, *Shallcross* 3426-3429. 3432, 3433——Feeling of the Liverpool shipowners that they should be exempt from liability when a pilot is employed, but that with or without immunity compulsory pilotage is essential, *ib.* 3454-3457. 3520-3522. 3545-3558—— Explanation that the Shipowners' Association represents only the sailing shipowners of Liverpool, *ib.* 3495-3501.

Evidence to the effect that a majority of the steam-ship owners are in favour of the Bill; views of witness's partner on the subject, *Lamport* 3708-3711. 3774-3780—— Circumstance of eleven out of twelve members of the Pilotage Committee being strongly in favour of retaining the present system, *Galloway* 4067, 4068.

Unanimous opinion of a committee of the Steamship Association in favour of the Bill, upon several grounds, *Leyland* 9960-9968. 10031-10035. 10080-10089——Opinion of the Steam-ship Owners' Society that the Bill does not go far enough, *ib.* 9997.

The Liverpool Steam-ship Owners' Association approves of the Bill, except the third clause, *Inman* 10233-10237. 10285——Evidence of Mr. Leyland adverted to as representing the general views of the steamship owners of Liverpool, *ib.* 10279-10281—— Objection by the Steamship Owners' Association to a right in licensed pilots to supersede unlicensed pilots, *ib.* 10285. 10324.

3. Views of the Liverpool Pilots:

Dissatisfaction of half, or more than half, of the pilots with the present system at Liverpool, more especially as regards the boat ownership; examination hereon upon the question whether meetings of the pilots have not recorded their disapproval of the Bill, *Jones* 10544-10553. 10634-10644. 10661-10670——Feeling among the Liverpool pilots in favour of voluntary pilotage, *Chaddock* 11426, 11427.

Witness was appointed at a public meeting of the pilots, held some weeks since, to attend the committee in opposition to the Bill; was not however called upon at the time to give evidence, *Beckett* 11567-11576——Feeling of the pilots in favour of the pilotage being thrown entirely open, it being understood that they should be compensated, *ib.* 11571, 11572. 11648——Concurrence of the pilots in the evidence given by Mr. Jones, *ib.* 11577-11581——Change of opinion among the pilots since the Bill has been discussed, many of them now approving of voluntary pilotage, *ib.* 11613-11616.

Circumstance of witness having, some two months since, expressed himself strongly in opposition to the Bill, *Beckett* 11642-11648——Difficulty recently between witness and the Pilotage Board about his not handing over some pilotage money; this had

Report, 1870—*continued.*

LIVERPOOL (*MERSEY PILOTAGE DISTRICT*)—continued.

VIII. *As to the Question of Compulsory or Voluntary Pilotage*—continued.

3. Views of the Liverpool Pilots—*continued.*

nothing to do with his change of opinion, *Beckett* 11649-11659——Approval of the Bill, more especially as forcing upon the authorities the changes advocated by witness as regards stations, &c., *ib.* 11827-11836.

Explanation of the circumstances under which the witness Beckett was deputed by the Liverpool pilots to give evidence against the Bill, *Davies* 12941-12961——Statement that the evidence of Jones and Beckett by no means represent the views of the pilots, who are as a body opposed to the abolition of the compulsory system; particulars hereon as to certain meetings of pilots on the question, *ib.* 12941-12959. 13011-13024—— Particulars as to witness having been chosen to represent the boatowning pilots, whilst Beckett was one of two chosen for those who are not boatowners, *ib.* 12973-13007—— Question whether there is not much difference of opinion between the pilots who are boatowners and those who are not boatowners, *ib.* 13001-13010.

Explanation of the circumstances under which Mr. Beckett and witness were appointed by the Liverpool pilots to give evidence against the Bill, *Williams* 13026-13045—— Information as to the views expressed by the pilots generally in opposition to the Bill; meeting on the subject adverted to, *ib.* 13035-13055. 13086-13089—— Examination upon the question whether the pilots who are not boatowners do not feel it a grievance in having to contribute to the boats, and whether they are not therefore favourable to the Bill as tending to break up the boatowning system, *ib.* 13056-13098.

4. Efficiency respectively of Compulsory Pilots, and of Licensed Masters and Mates:

Statement as to the comparative unfitness of licensed masters and mates to take vessels in and out of Liverpool, it being very desirable to have a trained pilot on every vessel, *Moss* 3880-3886. 3916-3924——Better opportunities of the selected pilots than of the captains for becoming conversant with sudden changes in the channels, &c., *Simpson* 4307-4310——Opinion that not one master in a hundred is fit to navigate a large ship into Liverpool, *Henderson* 4966.

Perfect competency of the captains in command of witness's steamers to navigate them in the Mersey without a pilot; explanation as to one only having a pilotage certificate, *Leyland* 9969-9974. 9986, 9987. 10036. 10052-10056. 10075. 10117, 10118. 10144, 10145——Discretion allowed by witness to his captains as to their availing themselves of the local knowledge of the pilots, *Inman* 10362-10366——Complaint as to the obligation upon coasters above 100 tons to employ pilots, the captains being perfectly competent to navigate them in and out of the Mersey, *Marwood* 10462-10477. 10487-10516——Non-employment of any pilots by witness's firm in the Mersey, the captains of the steamers being considered more competent to manage the vessels, *Johnson* 11305-11309. 11359.

5. Proposed Extension of the Compulsory Principle:

Opinion that it should be compulsory upon every vessel in the Mersey to take a pilot, the smaller ships paying a reduced rate, *Ballantine* 2920. 3069-3076. 3088-3096. 3113 ——Statement in favour of every vessel in the Mersey being bound not only to pay for a pilot but to take one; that is, as a matter of police for the safety of all, *Danson* 3138. 3213, 3214. 3249-3251. 3288, 3289——Improbability of much agitation at Liverpool against a pilotage tax to be imposed irrespectively of the employment of pilots, *Lamport* 3787-3790——Opinion strongly in favour of the present compulsory regulations in the Mersey; witness would, in fact, abolish all exemptions, *Simpson* 4238-4245. 4360, 4361. 4465.

6. Effect of Voluntary Pilotage as regards the Rates:

Necessary increase of pilotage fees if the boats only went out in bad weather, *Hills* 2763, 2764——Expectation that many of the smaller vessels will cease to employ pilots if the Bill be passed, and that an increase of rates will result, *Moss* 3860-3863. 3945-3971.

7. Evidence in approval generally of the proposed adoption of Voluntary Pilotage:

Inexpediency of any exceptional legislation for Liverpool, notwithstanding the satisfaction given generally by the compulsory system, *Farrer* 369-373——Grounds for the conclusion that the pilotage service of Liverpool may be very dangerous; an ample supply of pilots will be in attendance when required, and if properly paid, *ib.* 738-743. 756-759 ——Statement that under a voluntary system in the Mersey pilots would be found sufficiently far out, and in bad weather, if their services were required, *Sir F. Arrow* 1758-1761——Opinion that there is no reason for exempting Liverpool from the operation of the Bill, *Duncan* 9727-9729.

Evidence in support of the conclusion that under a voluntary system the pilots would be more efficient, and that inferior men would gradually be weeded out of the service, *Leyland* 9963. 9975-9984. 10014-10016. 10040-10043. 10166-10171. 10180-10182. 10210-10212——Effect of a voluntary system that the pilots would get better pay, and that

Report, 1870—*continued.*

Liverpool (*Mersey Pilotage District*)—continued.

VIII. *As to the Question of Compulsory or Voluntary Pilotage*—continued.

7. Evidence in approval generally of the proposed adoption, &c.—*continued.*

that the excessive and unfair payments to the boatowners would be put a stop to, *Leyland* 9975. 10160–10162——Continued employment of pilots by witness's firm under an optional system, the difference being that they would have the advantage of choosing their own pilots; way in which the power of selection would be exercised, *ib.* 9976–9984. 9992, 9993. 10008–10016. 10048–10052. 10119–10124. 10136–10139. 10153–10159. 10172–10179. 10210–10212——Great benefit anticipated from the Bill, though it does not control the Mersey Board in the matter of licenses, stations, &c., *ib.* 9994–10007. 10020–10023. 10210–10212.

Belief that if pilotage were voluntary the men would be better paid, and the service rendered more efficient, *Inman* 10256. 10273–10278. 10329–10342. 10352——Expediency of applying voluntary pilotage at Liverpool and generally, by means of the Bill, rather than merely amending the Mersey Docks Act and correcting the boat-owning system, *ib.* 10343–10352. 10383——Doubt as to ships inwards being any worse off in bad weather under a voluntary system, *ib.* 10359–10361.

Expectation that there would be no material falling off of employment under an optional system, *Jones* 10540–10543——Belief that the over-sea ships into Liverpool will continue to take pilots, if the Bill be passed, whilst it is unjust to force pilots on coasters that do not require them, *Watson* 10712–10719. 10782–10785. 10876——Opinion that with voluntary pilotage a better class of men would be available, and would go further down the channel, where the chief danger arises, and where they would be frequently employed, *Bouch* 10884–10892. 10903. 10947–10952. 10976–10981——Conclusion that on the whole there would be as much or more employment of pilots under the voluntary system, *ib.* 10890–10893. 10899–10902. 10921, 10922. 10974, 10975——Inducement to pilots to be out in bad weather if all their earnings went to themselves, instead of a portion going to the boatowners, as at present, *ib.* 10893–10895. 10904, 10905. 10937–10941. 10962, 10963.

All foreign-going vessels would take pilots just as much as at present, *Bouch* 10901. 10921. 10975; *Reynolds* 11023. 11025. 11053; *Holt* 11102——Conclusion that Liverpool should not be exempted from the Bill, *Bouch* 10918–10920——Equal employment of pilots in the Mersey by foreign-going vessels if the pilotage were optional, whilst the hardship of compelling coasters to take pilots would be obviated, *Reynolds* 11022–11025. 11051–11053——Approval of the application of the Bill to Liverpool, *Holt* 11087, 11088.

Increased emulation under a voluntary system; degree of emulation at present, *Holt* 11093, 11094. 11121. 11131–11145. 11223–11226——Conclusion that there would be a large employment of pilots under a voluntary system, and that pilots would be taken further down the channel, though, on the whole, the employment would probably be less than at present, *ib.* 11099–11102. 11113–11120——Effect of the Bill to leave all the present regulations undisturbed, and merely to render it optional in the shipowner to employ a pilot, *ib.* 11122–11130——Power still of the local authority to regulate the division of the pilots' earnings, *ib.* 11155–11158.

Complaint as to the compulsion to take a pilot outwards from Liverpool, it being desirable to have the option of taking a pilot inwards, *Chaddock* 11408, 11409. 11466–11471——Opinion that compulsory pilotage should be abolished, and that the change would produce a more efficient class of pilots, who would go further to sea, *ib.* 11418–11425. 11430, 11431. 11449. 11532–11537——Approval in any case of the licensing system, *ib.* 11421.

Expediency of emulation amongst the pilots, and of more freedom in the way of extension of the stations, witness contending that under a voluntary system there would be ample employment if the number of pilots were properly limited, *Beckett* 11616–11637. 11660 *et seq.*——Conclusion that with voluntary pilotage there would be ample inducement to pilots to be sufficiently far out in bad weather, *ib.* 11625, 11626. 11819–11826——Opinion that there is no reason for exempting Liverpool from the operation of the Bill, *Robinson* 12795–12797. 12812–12814.

IX. *Question of Compensation:*

Examination as to the probable effect of the Bill in regard to the earnings of the Liverpool pilots, and as to the claim of these to compensation; way in which it is proposed to compensate them, should the necessity arise, *Farrer* 377–422. 479–485——Special consideration necessary to be given to the case of the pilot boats, and the compensation or superannuation of the owners, *ib.* 710–713. 829. 991–997.

Question considered as to the source whence compensation should be provided in the event of its being determined to abolish the arrangement as to a portion of the pilots' earnings going to the pilot boats; opinion that the charge should be met out of the Consolidated Fund, instead of out of the trade of the port, *Squarey* 2547–2561. 2566–2571——Prejudicial effect of the Bill upon the earnings and immunity fund, *Simpson* 4281. 4290–4292. 4334, 4335.

Report, 1870—*continued.*

Liverpool (*Mersey Pilotage District*)—continued.

IX. *Question of Compensation*—continued.

Objection of the pilots to the Bill as not containing any provision for the compensation of the owners of the boats, *Bremner* 4634——Objection also to the proposed compensation of the pilots, as being utterly inadequate, *ib.* 4634, 4635——Evidence in support of the conclusion as to the inadequacy of the compensation or superannuation clause, and in explanation of the claims of the pilots to an improved and more liberal scheme of compensation, *ib.* 4635-4645. 4690-4711——Suggestion that the present income might be guaranteed for ten years, or that the superannuation be fixed at two-thirds of the present earnings, *ib.* 4636. 4697-4702.

Evidence in support of the claims of the apprentices to compensation; prejudicial effect hereon of a certain provision in the second clause of the Bill, *Bremner* 4675–4683——Dissent from the view that the difference between the cost of the boats and the present value of the shares is a fictitious value, witness contending that the compensation should in justice be based upon the full share value, *ib.* 4719-4753. 4774——Explanation of the arrangements proposed for the compensation of the boat-owners; alternative plans suggested, *ib.* 4667–4674. 4712–4753.

Doubt whether compensation for the Liverpool boat-owners should be provided from imperial sources, *Inman* 10409. 10435–10440. 10445–10451——Difficulty as to the fund or source whence the boat-owners should be compensated; degree of claim upon the Consolidated Fund, *Holt* 11241–11249. 11255–11258. 11265–11268.

X. *Summary by the Committee, and Conclusion arrived at in favour of the Application of the Bill;*

Reference to the refusal for a long time by the pilotage authorities to examine masters and mates for certificates, *Rep.* iv——Great importance of the Liverpool or Mersey pilotage district, both in point of extent and of the valuable interests embraced, *ib.* xv ——Local Act by which the pilotage is regulated, *ib.*——Constitution of the Mersey Dock Board and of the Pilotage Committee adverted to, *ib.*

Obligations under the Liverpool Act as to the compulsory employment of pilots, both by inward-bound and outward-bound vessels, *Rep.* xv——Remarks relative to the exemptions from the compulsory system, *ib.* xvi——Very few exemptions arising from examinations and licenses of masters and mates; different reasons given for the few licenses granted, *ib.*

Summary of the course adopted in carrying out the cruising system, with reference to the pilotage of inward-bound ships, *Rep.* xvi, xvii——Consideration of the evidence on the subject of the earnings of the pilots, and of the appropriation of the earnings, *ib.* xvii, xviii——Very peculiar system upon which the pilot boats are owned; strong condemnation of the system, more especially as regards the deduction from the earnings of the working pilots in order to pay an enhanced rate of interest to those pilots who have invested in boat shares, *ib.* xviii, xix.

Conflicting character of the evidence from Liverpool as to the present pilotage system and its operation, *Rep.* xix—— Unanimous feeling of the Sailing Shipowners' Association in favour of, and of a committee of the Steam Shipowners' Association in disapproval of, compulsory pilotage, *ib.*——Immense progress made and being made by the steamship interest of the port, *ib.*——Complaints against the existing system by the owners of small coasting vessels, *ib.*——Division of opinion on the part of the pilots, *ib.*

Difference of opinion among the supporters of compulsory pilotage on several points, whereas there is no such diversity of views on the part of the advocates of the voluntary system, *Rep.* xx—— Summary of the arguments of those who support compulsory payment of pilots, and of those who advocate compulsory employment as well as compulsory payment, *ib.* xx, xxi——Circumstance of comparatively little evidence and argument having been directed to the outward pilotage, *ib.* xxi.

Conflicting evidence upon the question of the port of Liverpool being exceptionally dangerous, *Rep.* xxi——Trustworthy evidence as to the difficulties of the Thames being fully as great as, if not greater than, those of the Mersey, *ib.*

Conclusion of the Committee that even were the Mersey more dangerous than the Thames the consequence would seem to be, not that compulsion is requisite, but that pilots will, under a voluntary system, be the more needed there and the more employed, *Rep.* xxi.

See also *Boats. City of Dublin Steam Packet Company. Cunard Service. Forwood, Mr. Johns, Richard. Queenstown and Cork. "Royal Charter," The. Runcorn. Steele, Mr. Thames, The,* VIII. 3. *Tugs. Voluntary Pilotage.*

Lloyd's. Conclusion arrived at by the underwriters of Lloyd's in favour of the abolition of the compulsory system, *Farrer* 217–219——Letter from the Secretary of Lloyd's quoted as showing the opinion of the Committee of Lloyd's that the time had arrived for abolishing compulsory pilotage, *ib.* 224.——*See* also *Insurance. Underwriters.*

Report, 1870—*continued.*

Local Authorities. Effect of the Bill that the compulsory districts will be placed in the same position as the non-compulsory districts in regard to the licensing and control of the pilots by the local pilotage authorities, *Farrer* 229–238——Explanation that the Bill does not interfere with local pilotage authorities in imposing regulations and restrictions as to licensing, &c., *ib.* 319–323. 354–363——Representative character generally of the pilotage boards in districts where the pilotage is free; instances also of representative boards in compulsory districts, *ib.* 453–461——Objection to its being left to each pilotage authority to adopt voluntary or compulsory pilotage, *Sir F. Arrow* 1581. 1595, 1596.

Disapproval of uniformity of system being laid down by the Legislature, witness preferring that each port should be allowed to manage its own affairs, without too much interference by the Board of Trade, *Danson* 3196–3203; *Lamport* 3619–3621. 3673–3675——Opinion that wherever the local pilotage authorities do not want the Bill applied to them, their views should be respected, *Simpson* 4367——Expediency of its being left to the local authorities to settle their own pilotage arrangements, *Allan* 5389-5391; *Taylor* 8053–8058. 8150——Adequacy of voluntary pilots for some ports; each port being the best judge of its own requirements, *Ford* 7196, 7197. 7246. 7249.

Approval of a General Bill dealing with pilotage, rather than of its being left to local authorities to take action in the matter, *Watson* 10812–10824. 10848–10850.

Ample powers of the pilotage authorities to supplement the Bill by further steps in the direction of freedom, or to impose such restrictions and regulations as may be found necessary, *Rep.* xxix.

Grounds adduced by the Committee for dissenting from the view that if further improvements are to be left to the local authorities, the abolition or retention of compulsory pilotage may also be left to them, *Rep.* xxix——Several respects in which local authorities are unfit to deal with the general question, *ib.*

See also *Licensed Pilots.*

London, Port of. See *Thames, The.*

London Shipowners' Society. See *Shipowners.*

Long-voyage Ships. Necessity of pilots for long-voyage vessels arriving in the Thames, *Tillman* 7754-7756. 7798; *Taylor* 7940. 7946. 7992. 8058. 8150. 8162, 8163.

Loss of Life. Preventive action of pilots in the matter of loss of life, it being impossible to estimate the loss of life prevented, *Danson* 3280–3283.

See also *Accidents.* *Liability.* *Safety of Life.*

Lumsden, John. (Analysis of his Evidence.)—Is a steam shipowner and underwriter at Hull, and is one of the Pilotage Commissioners, 6085–6091——Satisfaction given by the pilotage service of this port, 6092. 6105–6109——Possession of pilotage certificates by witness's captains and mates, this being the case as regards the local owners generally, so that pilotage is compulsory only as regards foreign vessels, 6093-6097. 6183-6195. 6215–6223. 6279-6286——Concurrence in the evidence of other witnesses as to the dangers of the navigation, 6101–6104——Objection to the application of the Bill to Hull, the present system being efficient, 6105, 6106. 6136–6138. 6150–6153.

Careful investigation of complaints by the Pilotage Commissioners, 6107-6109——Representation of all interests upon the Commission, 6110, 6111——Disapproval of the Bill both by the shipping and commercial interests, 6112——Opinion in favour of compulsory pilotage generally, accompanied with facilities for the licensing of masters and mates, 6113–6118. 6127–6135——Grounds for dissenting from the view that the owner should be liable when there is a compulsory pilot on board; relative functions of the pilot and captain adverted to hereon, 6119–6126. 6196–6204. 6211-6214. 6224–6233. 6259–6268.

Dangers encountered by the Hull pilots in bad weather, their remuneration not being extravagant, 6137–6142——Statement as to its not being the practice of underwriters to make it a condition that a pilot must be employed, 6143–6149. 6205–6210. 6250–6254——Examination as to steam tugs being found in the Humber whenever they are wanted, though witness expects that pilots would not be always forthcoming under a voluntary system; respects in which the two cases are not analogous, 6154-6169. 6255–6258. 6269-6278.

Explanation that a certain letter signed by about forty of the Hull pilots does not represent their real views as regards the Bill, the purport of which they did not understand at the time, 6170-6182——Grounds for the conclusion that the employment of pilots in the Humber would greatly fall off under a voluntary system, 6234–6249.

Luton, Charles Joseph. (Analysis of his Evidence.)—Is a waterman pilot for the home-trade passenger ships, 12545——Explanation that these vessels were required by the Act of 1854 to take pilots on account of several accidents having occurred through not taking pilots, the same men having been licensed for the purpose who used to be employed voluntarily, 12546–12554. 12572, 12573. 12577. 12716–12726——Restriction of witness's

Report, 1870—*continued.*

Luton, Charles Joseph. (Analysis of his Evidence)—*continued.*

license to the piloting of home-trade passenger ships; total of twenty-two pilots thus licensed, the number being kept up by apprentices, 12551–12555. 12577. 12655–12657. 12662, 12663.

Effect of the Merchant Shipping Code and of the Pilotage Bill to deprive witness and his brother pilots of the main part of their employment, 12556–12580. 12599–12613 ——Probability under the Bill that an increased number of masters and mates of coasting vessels will take out pilotage certificates, 12573, 12574. 12692–12698. 12727–12729—— Payment of 3*l.* 3*s.* a year by witness for his license, in addition to income tax, 12577. 12630–12636. 12730–12739.

Opinion that a thorough examination should be essential in every pilot, 12581—— Occasional employment of free watermen to assist in the navigation, or to pilot between London and Gravesend; doubt as to these having any grievance under the Bill, 12582–12598——Power of a Trinity House pilot to supersede witness, save on board a home-trade passenger steamer; disadvantage on this score under the present Bill, 12599–12613. 12674–12676——Statement as to the liability of the owner and pilot respectively in case of accident caused by a home trade passenger ship, 12614–12629. 12680–12682.

Very small employment of witness's class in other than passenger vessels, 12637–12654——Obstacle to witness being licensed for the entire navigation of the Thames, 12658–12661. 12677–12679——Qualifications of witness's class adverted to, 12664–12669——Charges of witness's class as compared with the charges of the Trinity pilots and of the free watermen, 12670–12673.

Increased difficulty of the navigation by reason of numerous small vessels being in the hands of certificated masters, and not taking pilots; belief that under an entirely optional system this difficulty would be further enhanced, 12683–12699——Considerable obstruction caused by the sailing barges which come from the Medway into the Thames, 12700–12711——Liability of all coasting steamers and other vessels carrying passengers to compulsory pilotage, 12712–12715.

M.

Macfaran, Robert. (Analysis of his Evidence.)—Several objections to the abolition of compulsory pilotage at Belfast; probability of many vessels not taking pilots under an optional system, and of frequent disaster arising on account of the difficulties of the navigation of the river, 9748–9784——Belief that the Belfast Harbour Commissioners are in favour of compulsory pilotage, 9785–9789.

McIver, Charles. Letter from Mr. McIver to Mr. Graves, dated 13th June 1870, approving strongly of the present pilotage service in the Mersey, and strongly objecting to the proposal for the abolition of compulsory pilotage, *App.* 576–579.

McKelvie, John. (Analysis of his Evidence.)—Long experience of witness as a licensed pilot of Glasgow, 5392–5396——Great increase in the size and draught of vessels in the Clyde, there being much danger of their grounding, on account of the navigable channel being so narrow and winding, 5397–5413——Necessity of pilots with ample local knowledge, captains not being competent to take large vessels up or down the river; illustration to this effect, 5406–5412. 5421–5426——Inadequacy of a chart without a pilot, 5415——Practice of witness to give orders, the captain supplying the required information and assistance, 5416–5420——Grounds for concluding that many vessels would try to save the pilotage rates under an optional system, 5427–5435.

Mallett, John Capon. (Analysis of his Evidence.)—Is a Trinity Cinque Ports pilot, 7505–7507——Qualifications and nautical position required in Cinque Ports pilots; prospects given up in order to enter the service, 7508–7511. 7520, 7521. 7692–7695——Views of masters of ships as to the importance of compulsory pilotage in the south channel of the Thames; very intricate and dangerous character of the navigation adverted to hereon, 7512–7518——Contribution of 6*l.* a year by the Cinque Ports pilots towards the superannuation fund, though not certain of being eventually superannuated, 7522–7527.

Calculation that the Cinque Ports pilots would lose one-third of their income, if their compulsory employment were abolished, 7529–7531. 7603–7638——Conclusion that many vessels by the south channel would run great risk in order to save the pilotage rates, and that much loss of life and property would be the result; examination as to the grounds for this conclusion, 7532, 7533. 7585 *et seq.*——Inaccuracy of a statement as to the pilotage having been compulsory in the case of the "Spindrift," 7534–7539.

Increased responsibility of the pilot when a steam-tug is used; instances of danger through the employment of tugs, 7540–7543. 7676–7681——Evidence in support of the conclusion that the compensation clauses of the Bill are altogether inadequate; contributions and earnings of the Cinque Ports pilots adverted to hereon, 7544–7570—— Disapproval of the removal of all restrictions upon licensing and pilotage in the Thames,

7570–

Report, 1870—*continued.*

Mallett, John Capon. (Analysis of his Evidence)—*continued.*

7570. 7687–7697——Total contribution of between 16*l.* and 17*l.* a year by witness, 7556. 7562–7564.

Argument that there is not really any compulsory pilotage at all, 7511——Opinion that the shipowner should be liable in cases of accident, with or without a pilot, 7572–7580——Approval of the system of separate pilots at Gravesend, 7581, 7582——Different class of men outwards from Gravesend and inwards from Dungeness, 7583, 7584.

Much greater difficulty of the South than of the North Channel; explanation hereon as to a large proportion of vessels by the North Channel taking pilots, 7585 *et seq.*——Probability of the pilots displaying more energy if the ownership and control of the boats rested with them, 7654-7663——Disadvantage in the boats cruising further out, instead of being stationed at Dungeness, 7664-7667——Inefficient class of pilots off Scilly, 7668, 7669——Statement to the effect that witness does not consider the pilot should supersede the captain in the command, 7670–7686.

"*Martha Alida*," *The.* Particulars relative to the hardship in the enforcement of compulsory pilotage in the case of this vessel, *Farrer* 33. 113.

Marwood, John Sutton. (Analysis of his Evidence.)—Is part owner of several coasters at Liverpool, and is manager of a large number, 10452–10451——Exemption of the vessels under 100 tons from compulsory pilotage, whilst those above 100 tons are obliged to take pilots, 10458-10461——Complaint as to the obligation upon coasters above 100 tons to employ pilots, the captains being perfectly competent to navigate them in and out of the Mersey, 10462–10477. 10487–10516——Grievance in the Liverpool pilots not having all their earnings, 10478–10480——Great efficiency of the pilots, 10478. 10485——Decided approval of voluntary pilotage; belief that foreign vessels would equally continue to employ pilots, 10481–10486.

Masters and Mates:

Provision in the Act 16 & 17 Vict. c. 129, for facilitating the examination of masters of vessels, with a view to their piloting their own vessels within certain limits, *Farrer* 18——Powers given under section 332 of the Merchant Shipping Act of 1854, for exempting masters of ships from the compulsory employment of pilots, *ib.* 19——Further reference to the system of certificates to masters and mates, as tending to limit the operation of compulsory pilotage, *ib.* 81–83. 252–255.

Discontinuance of the examination of masters and mates by the Board of Trade *Farrer* 188——Compulsory operation of the present law, even though under the Merchant Shipping Act masters and mates have been largely licensed in some ports, *ib.* 292–299——Absence of analogy between the compulsory examination of masters and mates and compulsory pilotage, *ib.* 686–688——Facility with which the Board of Trade might require some local knowledge, in masters and mates, in granting them certificates, *ib.* 857–860.

Competency of certificated masters to navigate in pilotage waters without risk to life or property, *Sir F. Arrow* 1835, 1836. 1840–1842——Respects in which a vessel is likely to be more safe in charge of a trained pilot than of a captain who has passed the examination for a pilotage certificate; amendment suggested on the latter score, *Danson* 3127–3129. 3140–3144. 3290–3294——Approval of masters being allowed to qualify for pilotage certificates, *Lamport* 3590——Advantage of examination of masters in the case of steamers in the short voyage trade, *Simpson* 4328, 4329. 4369–4373.

Objection to masters as pilots for large ships in the Clyde or Mersey, *Henderson* 4963–4966——Perfect competency of masters to act as pilots, when they are frequently in and out of the Thames or Mersey, compulsory pilotage being essential mainly for large and foreign-going ships, *Taylor* 7940. 7946. 7992. 8058. 8150. 8162, 8163.

Limited use made of the power given to pilotage authorities by the Act 12 & 13 Vict. c. 88 in regard to the examination of masters and mates for pilotage certificates, *Rep.* iv.——Examination of a considerable number of masters and mates under the clauses enacted in 1853 and 1854, enabling the Board of Trade to grant certificates to masters and mates, under certain conditions, exempting from compulsory pilotage, *ib.*——Restriction of the operation of these clauses by the conditions by which accompanied, *ib.*

See also *Hull* I., 2. *Liability. Liverpool,* III. *Thames, The.*

Merchant Shipping Act (1854). See *Liability. Masters and Mates.*

Mersey Pilotage District. See *Liverpool.*

Milford. Entire absence of necessity for a retention of compulsory pilotage at Milford, *Johnson* 12246–12253. 12259–12261. 12279–12289.

Report, 1870—*continued.*

Millen, John B. (Analysis of his Evidence.)—Has been a pilot in the Trinity service for nineteen years, 7253——Qualifications required in Trinity House pilots; necessary position as master or mate in the merchant service before they are licensed by the Trinity House, 7254–7262——Average of 340 *l.* a year as the gross earnings of sixty-four of the pilots between Dungeness and Gravesend, 7260. 7323–7325——Special care and knowledge required in piloting large ships between the Ness and Gravesend, 7263–7266——Employment of four pilot cutters at Dungeness, 7267–7269.

Evidence in support of the conclusion that if pilotage were not compulsory from Dungeness, great risk and danger would result from vessels not taking pilots, and there would not be an adequate or efficient supply of pilots in bad weather, 7270–7275. 7277–7283. 7289, 7290. 7311–7333——Grounds for objecting to the provisions of the Bill relative to compensation after an interval of two years, 7276–7288——Large number of coasters and other vessels exempt from pilotage from Dungeness; numerous accidents through pilots not being taken, 7291–7299——Opinion that the management of the vessel should rest with the pilot rather than the captain, 7299–7306.

Further evidence in disapproval of the scheme of compensation; particulars hereon as to the present superannuation arrangements in the case of the Trinity pilots and the Cinque Ports pilots, 7307–7310. 7345–7357. 7416–7451. 7492–7498——Suggestion that the present income of the pilots be guaranteed to them, 7308, 7309. 7345–7347——Practice of foreign vessels by the north channel to take pilots, 7311–7320——Doubt as to the income of the north channel pilots being nearly as much as that of the south channel pilots, 7321–7327.

Comment upon the employment of watermen and Deal boatmen in piloting large ships; their liability to be superseded by the Trinity pilots, 7333–7344. 7366–7372. 7499, 7500——Obstacles to the Trinity House licensing additional pilots, as interfering with the incomes and the efficiency of those in the service, 7350–7357. 7501–7504——Rare instances of witness piloting in the north channel though licensed for the purpose; belief that many unlicensed men are employed, 7375–7386——Control exercised by the Trinity House over the pilots at Dungeness, &c., 7391. 7452–7454.

Arrangements as to the maintenance and management of the cutters; improvement if the boats were owned by the pilots, 7392–7409. 7480–7489——Cruising of the cutters between Dungeness and the Downs; expediency if any alteration be made, of retaining compulsory pilotage from the Downs, 7410–7415——Several sources whence the superannuation fund is made up, 7440–7444——Limitation of witness's services to the district between Dungeness and Gravesend, 7455, 7456. 7490, 7491——Practice as to pilots at Dungeness being employed in turn, whilst in the case of vessels outwards, selection prevails, 7457–7469——Belief that very few vessels take pilots off Scilly, 7471–7479.

Monopoly. Tendency of the compulsory system of pilotage to create and maintain a body of protected monopolists, *Rep.* xxix.

Moss, William Miles. (Analysis of his Evidence.)—Is a member of the Mersey Docks and Harbour Board; is also chairman of the Pilot Committee, and member of the Marine Committee, 3794–3797——Is largely interested in steam, and is a member of the Steamship Owners' Association, 3798–3804——Explains that there are more steamship owners than sailing-ship owners on the Mersey Board, 3805–3807.

Information relative to the enormous strength of the tides in the channels of the Mersey, the navigation being, for this and other reasons, of an exceptionally dangerous character, 3808–3812. 3876, 3877. 3883–3891. 3900——Great increase in the number and tonnage of vessels frequenting the port of Liverpool, the traffic being chiefly carried on within two or three hours of high water, 3813–3820——Annual earnings of the different classes of pilots; serious reduction through the abolition of differential rates, 3821–3823. 4036, 4037——Total of about 53,000 *l.* as the pilots' earnings in 1869; 3824.

Total of 284 pilots, including licensed apprentices, there being also thirty-four unlicensed apprentices, 3825–3830—Constant service at sea of nearly half the staff at a time, 3831. 3907——Reduction being effected in the number of apprentices and of pilots, on account of the earnings falling off from several causes; adequate supply maintained for the necessities of shipping, 3832–3842. 4013–4035——Expensive and efficient character of the pilot boats, twelve in number, 3843–3846. 3907–3910.

Practice as to the division of the earnings of each boat among the men, 3847. 3911. 3926–3937——Very few complaints either against the pilotage rates or the service, 3849–3851. 3866——Conclusion as to the importance of maintaining the present compulsory system, an efficient supply of pilots not being at all likely to exist under optional pilotage, 3852–3860. 3912–3915——Expectation that many of the smaller vessels will cease to employ pilots if the Bill be passed, and that an increase of rates will result, 3860–3863. 3945–3971.

Large expenditure by the Mersey Board in removing wrecks from the bar, 3864, 3865——Evidence in favour of owners being liable when there is a pilot on board, it being desirable that the latter should in no way interfere with the command, 3867–3873. 3878, 3879.

Report, 1870—*continued.*

Moss, William Miles. (Analysis of his Evidence)—*continued.*

3879. 3925. 3672-4012——Statement as to the comparative unfitness of licensed masters and mates to take vessels in and out of Liverpool, it being very desirable to have a trained pilot on every vessel, 3880-3886. 3916-3924——Objection to different rates in winter and summer, 3892-3895.

Explanation as to there being different classes of pilots for vessels of different sizes, 3897-3906——Dissent from a statement that in managing the outward pilotage there is much waste of the pilots' time on shore, 3938-3944——Saving of rates by coasting steamers under optional pilotage; risk incurred thereby, 3950-3971——Value of the boat stations, which are all to be retained, 4031-4033——Statement as to owners protecting themselves against liability by a clause in the bill of lading where pilotage is voluntary, 4038-4050.

N.

Neath. Circumstance of vessels not entering Neath harbour in bad weather or in night time, *Rosser* 7124-7128.

New York. Exceptions taken to the New York system of pilotage as not being stationary, *Judkins* 1963-1969——Much lower pilotage rates in Liverpool than in New York, *ib.* 1976-1979——Compulsion to take a pilot in going into port, *ib.* 2067-2069.

Explanation that by the law of New York and other States of the Union the owner is not exempt from liability, though there be a compulsory pilot on board, *Squarey* 2386-2392.

Statement as to the New York pilots coming a distance of 240 miles to meet the ships, without making any extra charge, *Inman* 10263-10267. 10294-10297. 10375-10377——Similarity between the New York system of pilotage and that of Liverpool, *Bouch* 10923-10928——Statement as to vessels for New York not being bound to accept the first pilot that offers, *Beckett* 11670-11678. 11817, 11818.

Newport. See *Bristol,* II.

North Channel (Thames). See *Thames, The,* VIII., 3.

North-eastern Ports. Reference to the Report of the Select Committee on Merchant Shipping in 1860, as containing information on the question of pilotage in the north-eastern ports, and the local feeling on the subject, *Rep.* xxvii.——*See* also *Tyne, The.*

North-German Confederation. Similarity of the North-German law to the English law on the question of liability of the owner, *Farrer* 89——Circumstance of owners being exempt from liability under the North-German Code, when there is a pilot on board, *Squarey* 2578, 2579.

Reference to the law of the North-German Confederation whereby compulsory pilotage carries with it exemption from liability, *Rep.* viii.

Norway. Recent law in Norway requiring vessels above twenty tons to take pilots, *Barfield* 8295-8297.

Number of Pilots. Total of 1,828 pilots in ports where pilotage is more or less compulsory, and of 1,066 in ports where it is entirely free, *Farrer* 7-9——Practice of the pilotage authorities in voluntary districts as well as in compulsory districts to limit the number of pilots, *ib.* 194-202——Contemplated regulation by the local authority, as at present, of the supply of licensed pilots in reference to the demand, *ib.* 229-238. 319-323. 354-363. 748. 987-990——Circumstance of the Bill contemplating a possible decrease in the number of pilots, *ib.* 374-376——Improbability of any large increase in the number of pilots in the first two years after the passing of the Bill, *ib.* 594, 595.

Approval of restrictions by the local pilotage authorities upon the number of pilots, *Clegram* 1292-1294. 1324-1331——Contemplated limitation of the number of licensed men, *Sir F. Arrow* 1446-1448; *Leyland* 9999-10005. 10024-10030. 10151, 10152——Objection to the restriction proposed as to the licensing of any more pilots for two years, *Duncan* 9730-9744; *Robinson* 12744-12752.

Return showing the number of pilots at compulsory ports and non-compulsory ports respectively, *App.* 553.

See also *Bristol and Bristol Channel. Clyde, The. Compensation. Hull,* I., 4; II., 1. *Licensed Pilots. Liverpool,* I., 4. *Thames, The,* III., IV., VIII. *Voluntary Pilotage.*

Report, 1870—*continued.*

O.

Oates, Thomas. (Analysis of his Evidence.)—Is agent for Lloyd's at Grimsby, and is a shipowner there; concurs in the evidence of Mr. Josse, 12181–12184——Very large trade in small vessels from the Humber to the North of Europe and the French Coast, compulsory pilotage entailing an excessive burden upon the owners of these vessels, 12185–12192——Complaint as to compulsory pilots not being found in bad weather, when most wanted; grounds for concluding that under optional pilotage much greater zeal would be shown, 12192. 12197. 12201–12210. 12214–12221.

Hardship in the liability for damage resting with the pilot, who is generally unable to pay; objection at the same time to the owner being responsible under compulsory pilotage, 12193–12196. 12222–12226——Want of local control over the pilots at Grimsby, 12197——Expectation that with optional pilotage efficient men will be fully employed and will make good earnings, 12197–12210—— Very efficient services of some pilots at Grimsby on the voluntary system, 12202–12209. 12214–12218.

Unduly expensive management expenses at Hull in connection with the Grimsby pilots, 12211–12213—— Conclusion as to there being no good reason for maintaining compulsory pilotage at Hull, 12227–12230——Difficulty of the navigation up to Goole and Gainsboro', the compulsory pilotage, however, being a great tax upon trade, 12231–12239.

Optional Pilotage. See *Voluntary Pilotage.*

Out-ports (Trinity House District). Distinction between the London district and the out-port district of the Trinity House as regards the appointment and examination of pilots, *Farrer* 106, 107——Unduly large number of pilots at some of the outports, *Sir F. Arrow* 1423——System of supervision by the Elder Brethren of the Trinity House, and by sub-commissioners over the out-port districts, *ib.* 1698–1702.

Owners. See *Liability. Shipowners.*

P.

Passenger Ships. Explanation as to the omission from the Merchant Shipping Bill, now before the House, of the provision in the Merchant Shipping Act requiring home-trade passenger ships to take pilots, *Farrer* 259–263——Obligation upon the masters of home-trade passenger ships to undergo an examination; difficulty, however, in the case of a pilotage examination, *ib.* 667–670.

Similar principle involved in applying voluntary pilotage to a coaster as to a large passenger ship, with reference to the question of safety of life, *Sir F. Arrow* 1389. 1506–1509. 1762–1764. 1800–1804——Dissent from the view that the master of a passenger ship should be required to possess a pilotage certificate before being allowed to navigate without a pilot, *ib.* 1674–1681——Compulsion to take a pilot in the case of home-trade passenger ships in the Mersey, *Squarey* 2428, 2429.

Aaproval of the non-exemption from compulsory pilotage in the Thames of vessels carrying passengers, though only one or two in number, *Danson* 3313–3119——Objection to home-trade passenger ships being exempt from the obligation to carry a licensed master or pilot, *Taylor* 8024–8026——Opinion that if any ships be compelled to take pilots, it should be those with passengers and valuable cargoes; but witness does not recommend compulsion at all, *Lee* 11958–11965. 11985–11989. 11996–11998.

See also *Thames, The,* III. 2.

Pattison, Frederick. (Analysis of his Evidence.)—Is a Trinity pilot between Gravesend and London, 8733–8735——Total of seventy river pilots, there being fifty stationed at Gravesend and twenty at London, 8736–8738——Long period for which Gravesend has been a separate pilot station, though only so established by law in 1854; 8739——Complaint as to the Bill abolishing the station at Gravesend, and permitting the same pilot to take a ship right through; great importance of a separate class above and below Gravesend, 8740–8751. 8774–8777. 8785–8789. 8800–8802. 8861–8864. 8874–8878. 8890–8903. 8953, 8954.

Comment upon the pilotage service in the case of the home-trade passenger ships and steamships; refusal of the Trinity pilots to undertake this service in 1854; 8752–8761——Complaint in regard to the operation of a limited number of unlicensed pilots or free watermen between London and Gravesend; necessity of a more stringent law on this subject, 8762–8766. 8780–8784. 8791–8799. 8803–8811. 8832–8851. 8907–8917. 8921–8930.

Effect of voluntary pilotage in reducing the employment of licensed pilots; statement hereon as regards the north channel, that many foreign vessels are compelled by their insurance policies to take pilots, 8764, 8765. 8767–8774. 8812. 8830. 8918–8920.

Report, 1870—*continued.*

Pattison, Frederick. (Analysis of his Evidence)—*continued.*

8983, 8984——Entire inadequacy of the compensation clauses of the Bill, 8774. 8778, 8779——Advantage if there were no exemptions on the Thames from the compulsory employment of licensed pilots, nearly all the collisions occurring when unlicensed men are employed, 8783, 8784. 8965. 8923-8930. 8955-8961.

Doubt as to an increased licensing of men by the Trinity House doing away with the unlicensed men; lower charges of the latter adverted to hereon, 8852-8856. 8904-8910——Practice as to choice of pilots by captains and owners, as well as by brokers and others; restriction desirable in the latter case, 8857-8860. 8895-8903. 8952. 8696-8999——Practical character of witness's liability up to 100 *l.*; objection to unlimited liability, 8866-8873. 8988-8995——Requirement as to the pilots between Gravesend and London having commanded vessels, 8879-8889——Practice of the Deal boatmen to pilot up to Gravesend, but not down again, 8931-8941. 8951——Approval of pilots going both up and down within their own districts, 8942-8951.

Non-objection to the employment of watermen between London and Gravesend if there were work enough for them, and if their qualifications were proved by examination, 8962-8976——Unnecessary expense incurred by any owners who employ a waterman as well as a pilot, 8977-8982——Uniform rates charged to vessels, whether exempt or not, 8985-8987——Opinion that the pilot should have the sole charge of the ship in crowded waters, 9000.

Penalties. Provision in the Merchant Shipping Act of 1854, as to the infliction of penalties in the event of failure to employ a qualified pilot under certain circumstances, *Farrer* 20, 21——Nature of the facilities under the Act of 1854 for the recovery of pilotage rates, when earned, *ib.* 26——Several instances which have come before the Board of Trade of great hardship upon masters or owners through the method of enforcing compulsory pilotage and payment of the rates, *ib.* 29-38.

Explanation of the provision in the Bill as to unlicensed pilots being subject to penalties under certain circumstances, *Farrer* 528-530——Very harsh mode of enforcement of penalties against owners further adverted to; this, however, is not a necessary consequence of a compulsory system, *ib.* 598-600. 632-640——Further evidence as to the peculiar hardship of the mode of enforcement of penalties for non-employment of pilots, *ib.* 705-709. 812, 813. 937-940.

Liability of the master of a ship, who refuses a pilot, to a penalty of double the pilotage, *Rep.* v——Great complaints and gross hardship caused by the system of recovering penalties; that is, under the rules of law applicable to criminal proceedings, *ib.*

Pensions. Return showing the amount of pensions of pilots at compulsory ports; total of 10,495 *l.*; *App.* 553——Amount of pensions at non-compulsory ports, *ib.*

See also *Compensation.*

Phillimore, Sir Robert. Views of Sir Robert Phillimore as to the objectionable character of the law of immunity of the owner from liability, *Squarey* 2393, 2394.

Pilot Stations. Witness would have pilot stations, but would also allow the men to go beyond the line of stations, *Robinson* 12831.

See also *Liverpool*, I., 7. *Thames, The*, III., 7. *St. Lawrence River.*

Pilotage Districts. Reference to a certain map as showing, subject to some qualification, the districts where pilotage is compulsory, and where it is non-compulsory. *Farrer* 4, 5——Distinction of the jurisdiction, where the pilotage is compulsory, by means of colours, these colours being red ochre, brown, and green, *ib.* 6——Facility of re-arranging the pilotage districts, should it be found necessary as a consequence of the Bill, *Sir F. Arrow* 1460-1463.

Pilotage Rates. See *Rates.*

Pilots. *See* the Headings generally throughout the Index.

Pilots' Indemnity Fund. Exception taken to a pilots' indemnity fund as a means of compensation for injuries or losses, *Farrer* 591, 592. 655-658.

Port Regulations. Conclusion that the care of ships on entering a port is a matter not of pilotage, but of port regulation, *Rep.* xxviii.

Ports of Call. Intention of the Act 25 & 26 Vict. c. 63, s. 41, to exempt ships from compulsory pilotage when merely calling for orders, or otherwise passing through a pilotage district without loading or discharging, *Rep.* v——Circumstance of its being held that the exemption does not apply to ships calling for orders where the ultimate port of destination is not known at the time when she calls, *ib.*——*See* also *Falmouth.*

Q.

Queenstown and Cork. Illustration at Cork of the satisfactory operation of the voluntary system, *Farrer* 189. 192.

Consideration of the voluntary system of pilotage in operation at Queenstown; its entire unsuitableness for Liverpool, *Judkins* 2023–2036. 2089, 2090. 2217–2243. 2283–2286——Explanation in regard to the Cunard vessels taking pilots before going into Queenstown, in order to avoid stopping off Port Linas; question hereon whether a voluntary pilotage is not adequate for this port, *ib.* 2217–2243. 2283–2286. 2297–2303. 2327.

Absence of analogy between Queenstown and Liverpool as regards the question of a voluntary system, and of an adequate supply of pilots, *Hills* 2686–2690. 2813–2825. 2833——Explanation in regard to the Cunard and other large steamers taking pilots on to Queenstown, and taking up pilots at Queenstown for Liverpool, *ib.* 2951–2958——Doubt as to vessels for Liverpool finding it advantageous to stop at Queenstown for pilots, *Ballantine* 3054–3058. 3086, 3087. 3107——Statement as to the boats whence pilots are taken at Queenstown being used mainly for the purpose of sending merchants' orders on board the ships, *Shallcross* 3451–3453.

Very similar rates at Cork and Liverpool, *Inman* 10271, 10272. 10374. 10384–1387. 10423–10430——Large amount paid by witness for pilotage at Cork, though the employment of pilots is voluntary, *ib.* 10271, 10272. 10423–10432——Better payment of the Queenstown than the Liverpool pilots, *Jones* 10600–10604——Facility of obtaining pilots off Queenstown under the voluntary system, *Chaddock* 11437–11447.

R.

Ralph, Thomas. (Analysis of his Evidence.)—Long experience of witness as a pilot under the Cinque Ports and the Trinity House, 7840——Regular apprenticeship served by witness as pilot, 7841–7844——Several alterations for the worse effected in the position of the Cinque Ports pilots on their coming under the Trinity House, 7845–7855——Large contributions made by witness to the Trinity superannuation fund, as compared with his claims upon the fund, 7855–7879——Objection to the abolition of compulsory pilotage, 7868, 7869.

Several grounds upon which witness objects to the compensation clauses of the Bill, 7869 *et seq.*——Varying age at which the Cinque Port pilots are superannuated, there being some on duty over seventy years of age, 7880–7883. 7902–7909——Disapproval of the permissive character of the compensation clauses, 7885–7888. 7898, 7899——Improvement if the interval before compensation were only one year instead of two, 7889–7897——Satisfaction of witness if he were now superannuated at half his earnings, 7910–7921.

Rates. Power of local pilotage authorities to increase the rates in winter, provided they do not exceed the maximum rates under their separate Acts, *Farrer* 534, 535——Opinion as to the necessity of fixing the rates at each port, *ib.* 749, 750. 936. 980, 981——Increased facility of fixing the rates under a voluntary system, *ib.* 985, 986——Expediency of a regulated price, *Sir F. Arrow* 1449–1452——Probable necessity of a higher rate in winter than in summer, *ib.* 1450. 1464. 1466. 1651.

Excessive rates likely to be demanded by pilots in bad weather, if pilotage be free, *Judkins* 2129, 2130——Unfairness in prescribing the rates under an optional system of employment, *ib.* 2142, 2143——Objection to different rates in winter and summer, *Moss* 3892–3895.

Suggestion that the pilotage authority might be empowered to charge different rates in summer and winter, *Bremner* 4646–4648——Fair claim of the pilot to charge his own rates if he risks his life under a voluntary system, *Bannister* 5714–5717.

Contemplated adoption of a regulated price concurrently with optional employment and a system of licensing, *Leyland* 9999–10005. 10024–10030. 10219–10226; *Inman* 10353–10358; *Robinson* 12792–12794. 12911–12932——Doubt as to the expediency of fixing the rates by statute, *Holt* 11203. 11289——Heavy pressure of compulsory rates at Bristol, Swansea, Milford, and Liverpool, *H. E. Evans* 12395–12402.

Effect of absolute freedom in producing lower charges, more satisfactory service, and more ample remuneration to the best men, than a fixed charge, *Rep.* xii——Advantage of a low charge with constant employment, *ib.* xiii.

See also *Licensed Pilots.* *Salvage.*

Responsibility. See *Liability.*

Returns (*Board of Trade*). Control of the Board of Trade in voluntary districts adverted to with reference to the inaccurate returns received, as from Sunderland, *Farrer* 339–342.

Report, 1870—*continued.*

Reynolds, Captain Thomas. (Analysis of his Evidence.)—Considerable experience of witness in regard to the ports of Dublin, Liverpool, and London, 11006-11015. 11067-11072——Much greater difficulty in bringing a vessel into London than into Liverpool, 11016-11021——Equal employment of pilots in the Mersey by foreign-going vessels if the pilotage were optional, whilst the hardship of compelling coasters to take pilots would be obviated, 11022-11025. 11051-11053——Ample supply of pilots under a voluntary system, especially in bad weather, 11026-11028——Statement as to captains being deterred from applying to the Liverpool pilotage committee for pilotage certificates, 11029-11032.

Inaccuracy of certain evidence as to the difficulties of the navigation into Dublin, there being no good reason for compulsory pilotage there, 11033-11041. 11049, 11050. 11073-11077——Safety also of the approach to Belfast, so that pilotage should be optional there, 11042-11052. 11054-11066——Dissatisfaction of some of the Liverpool pilots in regard to the deduction from their owners for the owners of the boats, 11078-11081——Inducement under a voluntary system for a better class of men to enter the service, 11082.

River Pilotage. Important distinction between free pilotage in a river, and in the open sea, *Hinton* 9479-9482——Distinction between artificial river pilotage and sea pilotage, the former being a harbour master's question, *Sir F. Arrow* 11889-11893.

See also *Bristol, &c.*, I. *Clyde, The*, I.

Robinson, Anthony George. (Analysis of his Evidence.)—Is Deputy Chairman of the General Shipowners' Society of London, and is very largely interested in steamships, 12740-12742. 12905, 12906——Approval by the Shipowners' Society of the present Bill, except as regards some details, 12743, 12744. 12753——Objection to the restriction proposed as to the licensing of any more pilots for two years, 12744-12752——Opinion that if compulsion were abolished pilots would be more efficient, and would be found farther at sea in bad weather, 12754-12756. 12830, 12831. 12845-12847——Frequent complaint as to pilots not being found at Dungeness or as far out as is desirable, 12754, 12755. 12831. 12847, 12848.

Very onerous expense upon small ships in the Thames by reason of compulsory pilotage, 12757. 12788-12791. 12805. 12869——Valuable services rendered by the free watermen in piloting vessels between London and Gravesend, whereas they are liable to be superseded by the licensed pilots; approval of the pilotage between Gravesend and London being thrown open, 12758-12766. 12871-12901. 12933-12935——Insufficient number of licensed pilots between Gravesend and London; complaint made to the Trinity House on the subject, 12762. 12832-12834.

Instance of the heavy charges for compulsory pilotage between Gravesend and the Downs, whereas witness does not consider any pilot necessary on this part of the navigation, 12767-12769. 12775-12777——Necessity of a pilot or waterman between Gravesend and London, 12770-12774—— Complicated character of the present partial exemptions in the Thames, it being better to make exemption general, 12777-12779.

Objection to compulsory pilotage as involving immunity of the owner in case of collision; expediency of the owner being liable as one of the advantages of optional pilotage, 12779-12788. 12807. 12839-12844. 12854-12858——Evidence favourable to the licensing of pilots in the Thames, and to the charges being regulated by the local authorities in the event of the abolition of compulsory pilotage, 12792-12794. 12823-12827. 12911-12932.

Opinion that there is no reason for exempting Liverpool from the operation of the Bill, 12795-12797. 12812-12814——Much greater difficulty of the navigation of the Thames than of the Mersey, 12798——Belief that there will be as much employment of pilots after the Bill has passed, and that no compensation will be necessary, 12799-12806. 12868. 12870——Objection not only to the pilotage tax, but to the light dues, 12808-12811——Circumstance of there being compulsory pilotage in nearly all foreign countries, Turkey and Russia being exceptions, 12815-12822. 12849-12851.

Larger extent of freedom contemplated than is proposed by the Bill, 12828-12831. 12911-12932——Improvement if there were a representative pilotage authority for the Thames instead of the Trinity House, 12835-12838——Grounds for the opinion that compensation should not be borne by the Consolidated Fund, 12859-12868——Fewer accidents to witness's ships when not in charge of licensed pilots, 12871——Belief that life and property will be more secure if the Bill become law, 12902-12910.

Rosser, Captain John. (Analysis of his Evidence.)—Is harbour-master of Swansea; has the entire management of the pilotage service of the port, 6882-6884. 7112-7114——Description of the tidal harbour and two floating docks of Swansea, and of the great care necessary in bringing vessels in and out in order to prevent total obstruction of the navigation, 6885 *et seq.*; 7111-7152——Conclusion as to the necessity of compulsory pilotage for the harbour and docks; apprehension that under a voluntary system vessels would

Report, 1870—*continued.*

Rosser, Captain John. (Analysis of his Evidence)—*continued.*

would not always take pilots in fine weather, and that great risk and injury would result, 6905 *et seq.*

More unsafe character of the Mumbles Roads for vessels for Swansea than of the Penarth Roads for Cardiff vessels; great distinction also in other respects between the navigation of the two ports, 6929–6941. 6951–6954. 7109–7111. 7130–7136——General satisfaction given at Swansea by the present compulsory system, 6942, 6943. 6950——Exemption of vessels under 50 tons and of vessels under 100 tons in ballast; these vessels frequently take pilots, 6944–6950. 7001–7008.

Details relative to the number of pilots and of boats, the practice as to superannuation, the amount of earnings, &c., 6955–6973——Arrangements as to the cruising of the boats, and extent of the cruising district; circumstance of the district not extending to Lundy, 6974–6989. 7010–7014. 7113–7115. 7122, 7123——Possession of pilotage certificates by the masters of steamers in the coasting trade, 6990–6993 —— Complaint by the owners of screw colliers as to the pilotage rates inwards, 6994–7000.

Frequent complaint made as to pilots not being found at Lundy in bad weather, 7021–7033. 7047–7053——Doubt as to pilots being found at the Mumbles in bad weather under a voluntary system, it being essential to retain compulsory pilotage from the Mumbles inwards to Swansea, 7034–7062. 7137–7152——Opinion in favour of compulsory pilotage throughout the whole of the Bristol Channel, all the different jurisdictions being combined; facility in such case of maintaining a station at Lundy, and of reducing the rates, 7034–7037. 7063–7087. 7153, 7154.

Constitution of the Swansea Harbour Trustees adverted to; they are unanimous in favour of retaining compulsory pilotge, 7092–7100——Statement as to the pilots not holding shares in tug-boats, 7116–7118——Circumstance of vessels not entering Neath Harbour in bad weather or in the night time, 7124–7128——Practice generally for vessels to take pilots in bad weather, and to endeavour to do without them in fine weather, 7142–7150.

"*Royal Charter,*" *The.* Loss of the "Royal Charter" adverted to as a consequence of not having a pilot on board, *Judkins* 2137——Opinion that the absence of a pilot had nothing to do with the loss of the vessel, *Leyland* 10064.

Runcorn. Small number of vessels going to Runcorn which are, apparently, subject to compulsory pilotage in the Mersey, *Farrer* 343–346——Complaints from Runcorn and the Upper Mersey districts as to the obligation to pay pilotage rates on entering the port of Liverpool, *ib.* 878–882. 1020–1022——Exceedingly small proportion of the coasters trading to Runcorn which are subject to compulsory pilotage, *Simpson* 4284–4289. 4293–4300. 4324–4326.

Desire expressed by parties interested in the trade and docks of the Upper Mersey to be heard in support of the Bill, *App.* 556.

S.

Safety of Life:

1. *Objection to Voluntary Pilotage as prejudicial to Safety of Life.*
2. *Dissent from the foregoing Conclusion.*
3. *Question as to the expediency of Legislative interference with the responsibility of the Shipowner.*

1. *Objection to Voluntary Pilotage as prejudicial to Safety of Life:*

Belief that there would be an increased loss of life and property under an optional system, *Danson,* 3156. 3176–3178——Serious liability doubtless incurred by owners in not taking pilots, *ib.* 3204–3206——Recent instance in the Mersey of the risk avoided by the employment of a pilot, *Shallcross* 3435. 3465–3468. 3512——Expectation that some owners would decline to take pilots under an optional system, thus endangering life and property, *ib.* 3436, 3437.

Statement that there would be increased risk to life and property if foreign-going ships were not compelled to take pilots, *Taylor* 7931, 7932. 8030–8033——Prejudicial effect upon the safety of life if the Bill be passed, *Barfield* 8299.

Conclusions of Mr. M'Iver as to the increased risk to property and life by the abolition of compulsory pilotage, *App.* 576–579.

2. *Dissent from the foregoing Conclusion:*

Equal security of life and property in voluntary ports as in compulsory ports, *Farrer* 216—— Belief that saftey of life, as involved in the safety of the ship, will be better protected under a voluntary than a compulsory system, *ib.* 243–245——Witness further contends that safety of life will be equally secured under a voluntary system, *ib.* 619–622. 684–686——Conclusion further expressed that the safety of ships will not be prejudiced by

Report, 1870—*continued.*

SAFETY OF LIFE—continued.

2. *Dissent from the foregoing conclusion*—continued.

by the abolition of compulsory pilotage, *Farrer* 802–804——Doubt as to the safety of ships being jeopardised in order to save the pilotage rates, though small owners complain much of the burden of the rates, *ib.* 876–880.

Admission as to the advantage of a licensed pilot, as a safeguard against danger; doubt whether much risk would be incurred by owners in order to save this expense, *Sir F. Arrow* 1502–1516——Checks in any case upon vessels being sent to sea badly found, *ib.* 1859–1861——Belief that life and property will be more secure if the Bill become law, *Robinson* 12902–12910.

3. *Question as to the expediency of Legislative interference with the responsibility of the Shipowner:*

Expediency of the responsibility for the protection of life resting with the shipowners, who are better judges than Government of what is required, *Farrer* 250, 251——Inconsistency of modern legislation on the question of compulsory provisions generally for the protection of life, *ib.* 257, 258——Statement in further support of the conclusion that safety of life may best be provided for by not interposing compulsory regulations interfering with the responsibility of owners, *ib.* 484–493. 551–558. 601–608.

Statement as to compulsory pilotage not being necessary or defensible with reference to safety of life; exemption of coasters adverted to hereon, *Sir F. Arrow* 1389. 1494, 1495. 1502–1516. 1762–1764. 1800–1804. 1840–1842.

Decided dissent from the view of Mr. Farrer, that it is no part of the business of the Government to take a ship out of the hands of those most interested in her safety, *Bremner* 4631——Bad legislation is imperilling the safety of life and property by making pilotage non-compulsory, *Taylor* 8001. 8047–8050.

Conclusion of the Committee that it is no part of the business of Government to take a ship out of the hands of those most interested in her safety; and that merchants, shipowners, and insurers are much better judges of what they need than Government can be, *Rep.* xxviii.

See also *Accidents.*

Sailing Ships. See *Shipowners.*

St. Lawrence River. Illustration in the case of the St. Lawrence of the advantages consequent upon the adoption of pilot stations, *Ballantine* 3001–3006.

Salvage. Power of the London pilots to make claims for salvage without the consent of the Trinity House, whilst the Dungeness and North Channel pilots cannot do so, *Sir F. Arrow* 1941–1945——Expediency of legislation to the effect that no pilot be enabled to claim salvage without the previous consent of the pilotage authority, *ib.* 1941. 1945–1948.

In dangerous weather the charge demanded by pilots under a system of free-trade would almost amount to salvage, *Judkins* 2129, 2130——Probability of pilots making charges amounting to salvage under a system of free trade, *Lamport* 3625–3627. 3699–3702——Instance in the Mersey of excessive demand by a steam-tug for towing a vessel in distress, *Simpson* 4232–4237.

Scilly. Belief that very few vessels take pilots off Scilly, *Millen* 7471–7479——Inefficient class of pilots off Scilly, *Mallett,* 7668, 7669.

Select Committee of 1860. Report of Mr. Lindsay's Committee of 1860 cited as showing the conclusions then arrived at favourable to a system of voluntary pilotage; that is, in most parts of the country, *Farrer* 92–97.

Selection of Pilots. Question considered whether under the Bill there would be any increased power of selection of pilots by the ships, *Farrer* 424–438——Varying rules at different ports as to the selection of licensed pilots, *ib.* 496——Great importance attached to a right of selection, *Freeman* 10238–10245. 10286–10297.

See also *Liverpool,* III. 8. *Southampton.*

Shallcross, Thomas Richard. (Analysis of his Evidence.)—Is chairman of the Liverpool Shipowners' Association, 3423–3425——Much larger tonnage in sailing ships than in steam ships in the Mersey, 3426——Unanimous opinion of the Shipowners' Association that compulsory pilotage should be retained, 3426–3429. 3432, 3433——Decided efficiency of the present service, 3430, 3431. 3438, 3439. 3486, 3487——Conclusion that without compulsory pilotage pilots would not always be found in bad weather when most wanted, 3433. 3440–3445. 3458–3464——Recent instance of the risk avoided by the employment of a pilot, 3435. 3465–3468. 3512.

Expectation that some owners would decline to take pilots under an optional system, thus endangering life and property, 3436, 3437——Great value of the training and practical knowledge of the Liverpool pilots; advantage as compared with the knowledge of

Report, 1870—*continued.*

Shallcross, Thomas Richard. (Analysis of his Evidence)—*continued.*

masters or captains who are only in the port occasionally, 3438. 3455, 3456. 3502–3505. 3512. 3516. 3540–3542——Excellent operation of the system of stations, 3439——Grounds for the conclusion that under an optional system the service would not be efficient, nor the supply of pilots in proportion to the demand, 3440–3445. 3458–3468. 3475–3491.

Comparatively easy pilotage of the ports in the Tyne and Wear, so that voluntary pilotage may be found efficient there, 3446–3450. 3469–3472. 3523–3531——Statement as to the boats whence pilots are taken at Queenstown being used mainly for the purpose of sending merchants' orders on board the ships, 3451–3453——Feeling of the Liverpool shipowners that they should be exempt from liability when a pilot is employed, but that with or without immunity compulsory pilotage is essential, 3454–3457. 3520–3522. 3545–3558.

Explanation that the Shipowners' Association represents only the sailing-ship owners of Liverpool, 3495–3501——Very dangerous character of the navigation of the Mersey, 3504. 3513. 3532–3542——Objection to reliance upon steam tugs for the piloting of sailing vessels in the Mersey, 3506–3511. 3518, 3519——Advantage of the careful buoyage of the river, 3514–3517——Opinion that a shipowner having taken all precaution against accident should not be liable, irrespectively of compulsory pilotage, 3545–3554.

SHIPOWNERS:

Views of Mr. Dunbar, Mr. Green, and other large sailing-shipowners in 1860, in favour of compulsory pilotage, *Farrer* 80, 81. 205–210——Important considerations which weaken the argument arising from the fact that a large number of shipowners are in favour of the compulsory system, *ib.* 203. 211——Exception taken to the approval given by shipowners to compulsory pilotage as exempting them from liability, *ib.* 203. 211. 805.

Great change since 1860 in the views of the shipowners, some of the largest shipowners in London approving of the present Bill, *Farrer* 204–211——Letter recently received at the Board of Trade from the General Shipowners' Society of London, showing that the large sailing shipowners of London are now favourable to the principle of abolition of compulsion, *ib.* 223. 407–409——Shipowners would be more than ever opposed to compulsory pilotage if the immunity of the ship were abolished, *ib.* 752.

Custom of owners in the Thames to take pilots as a protection against liability in the event of collision, *Sir F. Arrow* 1614, 1615.

Probable objection by owners to compulsory payment if they lose the benefit of immunity, *Squarey* 2452–2455. 2523–2541. 2571–2579——Feeling of owners of large vessels in favour of retaining immunity from liability in conjunction with compulsory pilotage, *Drew* 6671–6674.

Statement as to the Shipowners' Society of London not representing the shipowners of the port, *Taylor* 8051, 8052. 8101–8127. 8149.

Witness considers that the London Shipowners' Society fairly represents the shipowners of London, and that Mr. Taylor is in error, *Duncan* 9545, 9546. 9704–9710——Full discussion of the present Bill by the Society, through its committee; the result being that they approve of the abolition of compulsory pilotage; constitution of the Committee adverted to hereon, *ib.* 9547–9549. 9626–9634. 9665–9670. 9704–9710. 9730——Preference of the Society for an entirely free system of pilotage, *ib.* 9649. 9626–9632.

Question as to its being any hardship to the shipowners to enforce a new system upon them contrary to the views of the great majority, *Holt* 11292–11300——Approval by the London Shipowners' Society of the present Bill, except as regards some details, *Robinson* 12743, 12744. 12753.

Change of opinion on the part of the sailing-ship owners of London, these being now in favour of a still more free system than is proposed by the Bill, *Rep.* xiv.——Uniform objection to compulsory pilotage by the steamship owners of the Port of London, *ib.*

See also *Liability.* *Liverpool,* VIII. 2. *Steamships.*

Simpson, Robert Poulton John, R.N. (Analysis of his Evidence.)—Is Superintendent of Pilotage at Liverpool, and is an examiner of pilots and masters and mates for pilotage certificates, 4162——Has had nineteen years' experience as a master in the Navy, and holds a Trinity House pilotage certificate for the district from the Downs to the Land's End, 4163–4165.

Opinion that the navigation of the Mersey and the approaches to Liverpool are more dangerous than in the case of any port in the kingdom; respects in which more dangerous than the approach to London, 4166. 4366. 4416–4427——Statement of the training and qualifications of the Liverpool pilots, 4167–4171——Information relative to the shares in which the twelve pilot boats are owned, and the system of division of the earnings of each boat, 4172–4178. 4316–4323.

Report, 1870—*continued.*

Simpson, Robert Poulton John, R.N. (Analysis of his Evidence)—*continued.*

Ownership of the boat shares by retired pilots and by acting pilots, 4178. 4380, 4381. Total of 768 shares representing a value of 90,700 *l.*, 4178–4182——Average earnings at the rate of 12½ per cent. upon the market value of the shares, subject to deduction for depreciation and insurance, 4183–4196. 4447–4461——Nature of the security for the maintenance of efficient boats and for the prompt replacing of worn-out boats; great efficiency obtained under the system, 4198–4201. 4336–4339. 4382–4394. 4406–4411.

Way in which the system of boat stations is worked, 4202–4205. 4395. 4508–4513——Check applied in order to see that the boats keep their stations; very few complaints on this point, 4206–4213——Several complaints made against individual pilots; excellent effect of the punishment and publicity in these cases, 4214–4221. 4330–4333. 4397–4405.

Forcible illustration during a gale in 1866 of the excellent operation of the system of stations as a means of preventing casualties; small pilotage charges involved on this occasion, 4222–4237——Opinion strongly in favour of the present compulsory regulations in the Mersey; witness would in fact abolish all exemptions, 4238–4245. 4360, 4361. 4465——Economy of the service, 4239. 4259–4264.

Arrangement as to the same pilot being taken by a ship outward-bound, who has already piloted her into port, 4246. 4514, 4515——Special arrangements by which some of the large steam-ship companies are allowed to have selected pilots; check upon the average earnings of these, 4247–4253. 4301–4323. 4374–4379——Full facilities given by the Mersey Board for the examination of masters and mates, 4254–4258. 4355–4359. 4368.

Lower pilotage rates at Liverpool than at London, Cardiff, or New York, 4259–4263——Average of forty-eight or fifty vessels piloted yearly at Liverpool by each pilot, there being also other work to do, 4265–4269. 4501–4507. 4546. 4548. 4566–4568——Particulars relative to the Pilots' Annuity Fund, its amount, and how constituted and administered, 4270–4280——Effect of the present Bill to disorganise the whole pilotage system of the port, 4281——Prejudicial effect of the Bill upon the earnings and annuity fund, 4281. 4290–4292. 4334, 4335.

Steps taken by the Mersey Board in order to meet the complaint that coasters should be six weeks in the trade, in order to constitute them as coasters, 4282, 4283——Exceedingly small proportion of the coasters trading to Runcorn which are subject to compulsory pilotage, 4284–4289. 4293–4300. 4324–4326——Increased liability to accident in the case of coasters not taking pilots, 4324–4327——Advantage of examination of masters in the case of steamers in the short-voyage trade, 4328, 4329. 4369–4373——Examination relative to the enhanced value of the boat shares as compared with the cost of the boats; admission that the system of ownership requires correction, 4340–4354. 4412–4414. 4428–4438. 4447–4461.

Opinion that wherever the local pilotage authorities do not want the Bill applied to them, their views should be respected, 4367——Exemption of certain steamers from obligation to take pilots if in the coasting trade, 4415——Care taken as to the shifting of the buoys, 4439, 4440——Necessity for pilotage beyond the Bell buoy; facility recently given in this respect, 4441–4444.

Belief that under the Bill, the uncertainty of employment would affect both the number and efficiency of the pilots, 4445, 4446——Exemption not only of coasters under 100 tons, but of all coasters in ballast, 4466——Statement as to coasting steamers paying only half rates when they take pilots; this is an old regulation, and the payment has not been complained of, 4467–4469. 4486–4491——Explanation that the Mersey Board is not responsible for not compelling the home-trade passenger ships to take pilots, these vessels paying a rate of only 1 *s.* a foot; anomaly in the matter of this payment, 4470–4485.

Non-reduction of rates in the case of vessels in charge of steam-tugs, 4492——Increase in the number of pilots within the last ten years, steps being now taken to reduce the number; question hereon as to there being sufficient work for the present staff, 4493–4513. 4546–4548. 4566–4568——Grounds for the conclusion, that under an optional system many vessels would cease to employ pilots in fine weather, and that, on the whole, the employment would be much less, 4516–4533——Expectation that under voluntary pilotage pilots and tugs will gravitate towards each other, and that extortionate demands will be the result, 4525. 4549. 4564–4569——Grant of pensions to pilots when infirm from other causes as well as age; very small proportion superannuated, 4534–4537——Calculation of the pensions at the rate of 1 *l.* for each year of service, 4538–4541——Exceedingly small number of accidents in the case of piloted ships, 4543–4545.

Smith, Thomas Eustace. Evidence of Mr. T. Eustace Smith before the Committee of 1860 adverted to as showing his views in favour of compulsory pilotage, *Farrer* 264–269——Change of opinion on the part of Mr. Eustace Smith on the question of compulsion, *ib.* 806–808.

Report, 1870—*continued.*

"*Snodland*," *The.* Running down of the barge "Snodland" by the steamer "Sentinel" adverted to in memorials of owners of barges and of sailing barges; great loss incurred without power of recovery from the pilot of the "Sentinel," who became bankrupt, *App.* 509, 510.

South Channel of Thames. See *Thames, The.*

Southampton. Explanation of the arrangements in force at Southmpton as to the selection of pilots by the steamships; payment of one-third of the earnings of these men to a common fund, *Sir F. Arrow* 1639-1650——Witness, as an Isle of Wight pilot, complains that he is not allowed to take certain steamship companies' vessels for Southampton into the port, being superseded by pilots selected or privileged for the purpose, *Webb* 8684-8715. 8730-8732——Complaint also that his employment and earnings would be seriously affected by the Bill, his earnings being very small already, *ib.* 8716-8732.

Speeding, William. (Analysis of his Evidence.)—Witness submits grounds for the conclusion that he and other pilots licensed from London to the Downs should also be licensed to bring ships right through from the Downs to London; delay and extra charge now incurred through the break of pilotage at Gravesend, 9001 *et seq.*——There are fifty pilots licensed from London to the Downs, but these licenses are not renewed, and the number is gradually dying out, 9012-9014——Witness and other pilots are employed by choice, and would not suffer under the Bill, 9021-9028. 9044, 9045.

Statement as to the river pilots unduly interfering with the employment of witness and other London pilots; interest of the former in steam-tugs adverted to hereon, 9021. 9056-9094——Information relative to the class of persons who act as pilots in the north channel under the voluntary system; deficient qualifications of some of these, 9029-9049. 9053-9055——Several examinations passed by witness; previous service at sea, 9050-9052.

Objectionable practice in the employment of brokers' clerks and others for procuring ships for pilots, 9095-9109——Waste of time under the system of pilots acting outwards only, 9132-9141——Approval on the whole of optional or free pilotage in the Thames, 9145-9150——Much more frequent accidents when unlicensed than when licensed pilots are employed, 9152-9158. 9205——Doubt as to the Bill leading to much reduction in the employment of pilots either inwards or outwards, 9174-9182——Reduction in the rates when tugs are employed, 9183-9189——Improbability of the Bill causing pilots to be dispensed with when tugs are employed, save in the case of unloaded vessels, 9190-9196——Claim of the Trinity pilots to more liberal superannuation out of the pension fund, 9197-9204——Payment made to the Trinity House whenever a choice letter is granted for the employment of any pilot; return of this money unless the pilot does not go with the ship, 9206-9217.

Speeding, W. Letter from Mr. Speeding to the Secretary of the Board of Trade, suggesting certain alterations in the system of pilotage in the North Channel of the Thames, *App.* 527.

"*Spindrift*," *The.* Case of the "Spindrift" adverted to as illustrating the mischievous operation of the present system of non-liability when a pilot is in charge in a compulsory district, *Farrer* 51-58——Case of the "Spindrift" further adverted to; suspension of the pilot by the Trinity House, *ib.* 641-648——The owner seems to have done everything he could, *ib.* 854——Entire inaccuracy of a report that the present Bill originated in the case of the "Spindrift," *ib.* 941-945.

Illustration in the case of the "Spindrift" of the mischievous effect of the responsibility vested in the pilot under the compulsory system, *Sir Frederick Arrow* 1398, 1399——Practice of the Trinity House as to the investigation of complaints, as in the case of the "Spindrift," *ib.* 1733-1736.

Inaccuracy of a statement as to the pilotage having been compulsory in the case of the "Spindrift," *Mallett* 7534-7539.

Squarey, Andrew Tucker. (Analysis of his Evidence.)—Is Solicitor to the Mersey Docks and Harbour Board, 2347, 2348——Origination of the pilotage system of Liverpool by Act of Parliament in 1765, whereby pilotage was made compulsory on all outward-bound vessels, 2349. 2361——Further Act in 1796 extending compulsion to inward-bound vessels, *ib.*——Summary of the chief provisions of the several Acts since 1796, there having been a Consolidation Act in 1858 by which the present pilotage system is worked, 2349-2352. 2361.

Constitution of the Mersey Docks and Harbour Board as the pilotage authority by the Act of 1858; 2352, 2353. 2356——Working of the pilotage system by a committee of twelve members, eight of whom are taken from the Mersey Board, and four are persons specially conversant with pilotage and shipping matters, 2353-2356. 2359, 2360——Power of the Dock Board to make bye-laws, subject to the sanction of the Board of Trade

Squarey, Andrew Tucker—(Analysis of his Evidence)—*continued.*

Trade, 2357, 2358——Examination of the pilots by a sub-committee of the Pilotage Committee, 2359.

Statement as to the modes of distribution by the Mersey Board of the sums derived from pilots' licenses, and from fines and penalties, 2362–2364——Payments whence the Pilotage Annuity Fund is created, and way in which administered by the Board, 2362–2366——Explanation of the provisions relative to the ownership of the pilot boats, and the regulations as to the sale of shares, 2367–2373.

Evidence in support of the conclusion that, concurrently with compulsory pilotage rates, the immunity of the owner from liability should be by law abolished, 2374 *et seq.*——Opinion that the proper function of the pilot is to advise the captain, and not to undertake the entire navigation of the ship, 2378–2380——Tendency to collisions through the reluctance of captains to assume responsibility by interfering with the pilots, 2380–2383.

Information relative to the law in Belgium, New York, France, and other foreign countries as not protecting the owner where there is compulsory pilotage, 2384–2394. 2430–2437——Views of Sir Robert Phillimore as to the objectionable character of the law of immunity of the owner from liability, 2393, 2394——Argument that the compulsion is to pay pilotage rates and not to take a pilot on board; extent to which the penalties may involve compulsion, 2398–2435. 2444–2451. 2472–2476——Penalty of double pilotage in Liverpool for refusal to take a pilot, 2414–2417. 2427.

Views of the commission appointed in France in 1866 upon the question of compulsion and of owner's liability; conclusion as to the owner deriving no protection under the French law through there being a pilot on board, 2430–2435——Very large proportion of cases before the Admiralty Court contributed by Liverpool, 2440——Feeling among the legal profession employed in shipping cases at Liverpool that it would be well to abolish the immunity of the owner, 2441–2443.

Probable objection by owners to compulsory payment if they lose the benefit of immunity, 2452–2455——Opinion adverse to exemptions, it not being unreasonable to make every vessel contribute something to a service maintained for the benefit of all, 2456–2466——Expediency in any case of pilots being examined and licensed, 2469–2471.

[Second Examination.] Explanation that the collision cases which come for trial from Liverpool do not all occur in Liverpool waters, 2478, 2479——Opinion that, unless where the navigation is specially dangerous, there should not be obligation to take a pilot, 2480. 2513–2517——Absence of pecuniary interest in the Mersey Board in maintaining compulsory pilotage, 2481, 2482——Further statement as to witness's views involving the abolition of exemptions; the degree of contribution might be varied infinitely, 2483–2487.

Evidence in further support of the view that the pilot should not obviate the action of the captain, and should not absolve the owner from liability, 2488–2495. 2518–2522——Examination with further reference to the opinion that pilotage is not compulsory at Liverpool, but only the payment of rates, 2496–2512——Question whether immunity from liability, concurrently with compulsory pilotage, would be approved by owners in Liverpool; diversity of opinion on this subject on the part both of sailing-ship owners and steamship owners, 2523–2541. 2571–2577. 2601, 2602.

Power of the Mersey Board, with the approval of the Board of Trade, to amend details in the present pilotage system, 2542–2546. 2603–2605——Question considered as to the source whence compensation should be provided in the event of its being determined to abolish the arrangement as to a portion of the pilots' earnings going to the pilot boats; opinion that the charge should be met out of the Consolidated Fund, instead of out of the trade of the port, 2547–2561. 2566–2571.

Exception taken to the proposal in the Bill for an interval of two years before claims for compensation can arise, 2562, 2563——Probable dissatisfaction to be caused by leaving the amount of compensation in the discretion of the Board of Trade, 2564, 2565——Circumstance of owners being exempt from liability under the North German code, when there is a pilot on board, 2578, 2579.

Information in detail on the subject of the law of insurance as affected by pilotage; conclusion that pilots would, under a voluntary system, be still largely employed on account of the obligation under the insurance laws, 2579–2600. 2609–2648.

Steamships. Reasons for steamship owners preferring that their vessels should be in charge of their own masters, *Farrer* 823, 824——Important effect of the increased use of steam in diminishing any arguments that existed for compulsory pilotage, *Sir F. Arrow* 1415–1417——Much larger amount of tonnage which can be piloted by the same staff at Liverpool since the introduction of steamships, *Judkins* 2060–2067.

Circumstance of the steamship owners of the Port of London having always been against compulsory pilotage, *Rep.* xiv.——Unanimous feeling of a committee of the

Steamships—continued.

Liverpool Steamship Owners' Association in favour of abolition, *Rep.* xix——Reference to the great and growing steamship interest as being, with few exceptions, against the obligation to employ a pilot, *ib.* xxvii.

See also *Liverpool,* VI. *Shipowners.*

Steele, Mr. Letter from Mr. Steele, of Liverpool, to the Board of Trade, complaining in strong terms of the compulsory pilotage regulations in the case of coasters which, within six months, have been a foreign voyage, *Farrer* 137, 138.

Superannuation Funds. Amount of capital of superannuation fund at each compulsory port; total of 112,913*l.*, *App.* 553. *See* also *Compensation.*

Supply of Pilots. See *Compulsory Pilotage. Licensed Pilots. Number of Pilots. Voluntary Pilotage.*

SWANSEA:

1. *Generally as to the present Pilotage Arrangements.*
2. *Difficulties of the Navigation; Importance attached to Compulsory Pilotage.*
3. *Conclusions favourable to the Discontinuance of Compulsory Pilotage.*

1. *Generally as to the present Pilotage Arrangements:*

Exemption of vessels under fifty tons and of vessels under 100 tons in ballast from compulsory pilotage; these vessels frequently take pilots, *Rosser* 6944–6950. 7001–7008——Details relative to the number of pilots and of boats, the practice as to superannuation, the amount of earnings, &c., *ib.* 6955–6973——There are forty-nine sea pilots and six harbour pilots; duties of each class, *ib.* 6955–6958——There are nine boats averaging from twenty-two to thirty-five tons, *ib.* 6963, 6964.

Arrangements as to the cruising of the boats, and extent of the cruising district; circumstance of the district not extending to Lundy, *Rosser* 6974–6989. 7010–7014. 7113–7115. 9122, 9123——Possession of pilotage certificates by the masters of steamers in the coasting trade, *ib.* 6990–6993——Complaint by the owners of screw colliers as to the pilotage rates inwards, *ib.* 6994–7000——Frequent complaint made as to pilots not being found at Lundy in bad weather, *ib.* 7021–7033. 7047–7053——Statement as to the pilots not holding shares in tug-boats, *ib.* 7116–7118.

Complaint sometimes made at Swansea as to the pilotage district not going so far as Lundy, *Ford* 7160–7162——Similar charge from Lundy as from Helwick, the limit of the district, *ib.* 7162, 7163.

Regulations on the subject of compulsory pilotage and optional pilotage respectively, *App.* 566, 567.

2. *Difficulties of the Navigation; Importance attached to Compulsory Pilotage:*

Description of the tidal harbour and two floating docks of Swansea, and of the great care necessary in bringing vessels in and out, in order to prevent total obstruction of the navigation, *Rosser* 6885; *et seq.* 7111–7152——Conclusion as to the necessity of compulsory pilotage for the harbour and docks; apprehension that under a voluntary system vessels would not always take pilots in fine weather, and that great risk and injury would result, *ib.* 6905 *et seq.*

More unsafe character of the Mumbles Roads for vessels for Swansea than of the Penarth Roads for Cardiff vessels; great distinction also in other respects between the navigation of the two ports, *Rosser* 6929–6941. 6951–6954. 7109–7111. 7130–7136——General satisfaction given at Swansea by the present compulsory system, *ib.* 6942, 6943. 6950——Doubt as to pilots being found at the Mumbles in bad weather under a voluntary system, it being essential to retain compulsory pilotage from the Mumbles inwards to Swansea, *ib.* 7034–7062. 7137–7152——Constitution of the Swansea Harbour Trustees adverted to; they are unanimous in favour of retaining compulsory pilotage, *ib.* 7092–7100.

Satisfaction felt at Swansea with the working of the present pilotage system of the port, *Ford* 7164. 7177——Very difficult and exceptional character of the entrance to Swansea harbour and docks, so that the obligation to take a pilot is essential to prevent disaster, *ib.* 7165–7177. 7201 *et seq.*——Opinion that compulsory pilotage is not necessary from Helwick, but only from the Mumbles, *ib.* 7175. 7196–7206——At Cardiff there is a safe roadstead, but not at Swansea, *ib.* 7209

Probability of many vessels for Swansea not taking pilots in fine weather under the voluntary system, and of their not being able to obtain them in bad weather, *Ford* 7210–7240. 7246–7248.

SWANSEA—continued.

3. *Conclusions favourable to the Discontinuance of Compulsory Pilotage*:

Control to be exercised in such a harbour as that of Swansea by the harbour master, when ships come in with or without pilots, *Sir F. Arrow* 1877–1879——Probable difficulty in respect of entrance to the harbour at Swansea, *ib.* 11902, 11903.

Degree of difficulty in getting into Swansea; witness, however, seeing no necessity for compulsory pilotage, *Chaddock* 11507–11520——A pilot is not wanted till a ship gets to the Mumbles, *ib.* 11515–11517——Under a voluntary system a pilot would be sure to be found either at the Mumbles or at Bideford Bay, *ib.* 11518–11520.

Statement as to a compulsory system being less required at Swansea than at Cardiff; relative facilities of access to each port, *Johnson* 12262–12266. 12290–12319.

Conclusion of the Committee that in the Avon and at Swansea, masters who do not know the river will of their own accord always employ pilots, *Rep.* xxvi.

See also *Bristol and Bristol Channel.*

T.

Taylor John. (Analysis of his Evidence.)—Is one of the managing partners of the firm of T. M. Mackey, Son & Co., 7922——Very large extent to which the firm is interested in shipping in the ports of Liverpool and London, 7923–7928——Immunity of the ships of the firm from accidents to life, 7927. 7969——Peculiarly intricate and dangerous navigation of the Thames and Mersey, 7929, 7930——Importance of foreign-going ships being able to command the services of pilots who are constantly navigating the Thames, 7931, 7932——Expectation that if the pilotage were voluntary the pilots would be a less efficient class, and that increased dangers would accrue to shipping, 7933, 7934. 7940 *et seq.*

Very satisfactory working of the pilot station at Dungeness, 7935, 7936——Minimum of risk with which the pilotage service of London is now conducted, 7937——Opinion that when a pilot is on board a ship he should be entrusted with the entire control and responsibility, 7938, 7939——Probability, under a voluntary system, of many ships dispensing with pilots in fine weather, and of the uncertainty of employment and reduction of income having a very injurious effect, both as to number and efficiency, 7940 *et seq.*

Perfect competency of masters to act as pilots when they are frequently in and out of the Thames or Mersey, compulsory pilotage being essential mainly for large and foreign-going ships, 7940. 7946. 7992. 8058. 8150. 8162, 8163——Intimate knowledge of witness as to the pilotage service in the Mersey; its efficiency, 7945, 7946. 8157–8161——Grounds for the conclusion that the supply of pilots would not be always equal to the demand in bad weather under an optional system, 7947–7965. 8083–8086.

Explanation as to special pilots not being attached to witness's ships at Liverpool, 7966, 7967——Examination upon the question of the employment and supply of pilots in the north channel of the Thames under the voluntary system; reasons for concluding that the same results would not follow in the south channel, 7970–7998. 8087–8100. 8164——Effect of voluntary pilotage in inducing tugs to go further down the channel, 7994–8006. 8140, 8141.

Probability of masters taking tugs and dispensing with pilots, without the owners being able always to prevent their doing so, 8002–8006. 8013–8018. 8128–8141——Decided objection to the shipowner being responsible when there is a compulsory pilot on board, 8007–8012——Approval of the system of licensing masters and mates in the Thames, 8023–8026——Objection to home-trade passenger ships being exempt from the obligation to carry a licensed master or pilot, 8024–8026——Approval of exempting ships in the Thames up to 200 tons, 8027–8030. 8058.

Further statement that there would be increased risk to life and property if foreign-going ships were not compelled to take pilots, 8030–8033——Consideration of the question whether it would not be a misdemeanour under the Merchant Shipping Code to dispense with a pilot, as causing unseaworthiness, 8034–8044——Statement as to the Shipowners' Society of London not representing the shipowners of the port, 8051, 8052. 8101–8127. 8149.

Expediency of its being left to the local authorities to settle their own pilotage arrangements, 8053–8058. 8150——Improvement if there were a separate representative body for administering pilotage in the port of London, 8056–8058, 8142–8149——Objection to the owner rather than the pilot being responsible for damages done to barges in the Thames, 8059–8077. 8151–8156——Approval of the regulations in regard to separate pilots above and below Gravesend, 8078–8082.

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON):

I. *Long Period for which Compulsory Pilotage has existed.*

II. *Extent of the Compulsory District.*

III. *Generally as to the Pilotage Service; its Administration and Working:*

1. Particulars as to the various Classes of Pilots and the Number of each Class.
2. Pilots for the Home Trade Passenger Ships.
3. Qualifications of the Pilots.
4. Rates.
5. Question as to the Sufficiency of the Supply of Trinity Pilots.
6. Question of retaining a separate Station at Gravesend, or of licensing Pilots for the whole Distance to and from Dungeness.
7. Working of the Cruising Station at Dungeness.
8. Other Details generally.

IV. *As to the Thames Watermen:*

1. Details as to their Number, Qualifications, and Services.
2. Rates and Earnings.
3. Effect of the Bill as regards their Employment.

V. *Exemptions from Compulsory Pilotage.*

VI. *Accidents.*

VII. *Character of the Navigation.*

VIII. *Question of Compulsory or Voluntary Pilotage:*

1. Evidence favourable to Voluntary Pilotage in the Thames District generally.
2. Evidence opposed to the foregoing View.
3. Operation of the Voluntary System in the North Channel; Inferences drawn therefrom.

IX. *Question of Compensation.*

X. *Detailed Summary by the Committee, and Conclusions arrived at.*

I. *Long Period for which Compulsory Pilotage has existed:*

Existence of compulsory pilotage in the Thames as early as 1716, if not before, *Farrer* 39.

II. *Extent of the Compulsory District:*

Termination of the compulsory waters of the Thames at Dungeness, outwards as well as inwards; question hereon whether they might not as well terminate in the Downs, *Sir F. Arrow* 1536–1541.

III. *Generally as to the Pilotage Service; its Administration and Working:*

1. Particulars as to the various Classes of Pilots, and the Number of each Class:

Details relative to the several classes of pilots working in and out of London, there being seven or eight different classes, licensed or unlicensed; great inconvenience and collision by reason of so many conflicting interests, *Farrer* 114–135——Different set of licensed pilots for the river above Gravesend, and for the river below, *ib.* 114–116——Conflicting applications made to the Board of Trade for the protection of the several classes of Thames pilots, *ib.* 130–133.

Several classes of pilots in the Thames district, and number of each class, *Sir Frederick Arrow* 1378, 1379——There are seventy river pilots licensed for the district between London and Gravesend, *ib.*

Limitation of witness's services to the district between Dungeness and Gravesend, *Millen* 7455, 7456. 7490, 7491—— Different class of men outwards from Gravesend and inwards from Dungeness, *Mallett* 7583, 7584——Different class of unlicensed men above and below Gravesend, *Daines* 8530, 8535——Total of seventy river pilots, there being fifty stationed at Gravesend and twenty at London, *Pattison* 8736–8738——Long period for which Gravesend has been a separate pilot station, though only so established by law in 1854, *ib.* 8739.

There are fifty pilots licensed from London to the Downs, but these licenses are not renewed, and the number is gradually dying out, *Speeding* 9012–9014——Statement as to the river pilots unduly interfering with the employment of witness and other London pilots; interest of the former in steam-tugs adverted to hereon, *ib.* 9021. 9056–9094.

Return

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

III. *Generally as to the Pilotage Service; its Administration, &c.*—continued.

1. Particulars as to the various Classes of Pilots, &c.—*continued.*

Return of the number of pilots, average earnings, &c., licensed for the different parts of the London district, *App.* 558.

Total of 3774 pilots employed by vessels entering the Port of London by the South Channel in 1869, *App.* 580——Total of 1292 pilots employed by vessels entering the Port of London by the North Channel in 1869, *ib.*

2. Pilots for the Home-Trade Passenger Ships:

Comment upon the pilotage service in the case of the home-trade passenger ships and steam ships; refusal of the Trinity pilots to undertake this service in 1854, *Pattison* 8752–8761.

Explanation that the home-trade passenger vessels were required by the Act of 1854 to take pilots on account of several accidents having occurred through not taking pilots, the same men having been licensed for the purpose who used to be employed voluntarily, *Luton* 12546–12554. 12572, 12573. 12577. 12716–12726——Restriction of witness's license to the piloting of home-trade passenger ships; total of 22 pilots thus licensed, the number being kept up by apprentices, *ib.* 12551–12555. 12577. 12655–12657. 12662, 12663——Effect of the Merchant Shipping Code and of the Pilotage Bill to deprive witness and his brother pilots of the main part of their employment, *ib.* 12556–12580. 12599–12613——Payment of three guineas a year by witness for his license, in addition to income tax, 12577. 12630–12636. 12730–12739.

Power of a Trinity House pilot to supersede witness, save on board a home-trade pas-passenger ships; disadvantage on this score under the present Bill, *Luton* 12599–12613. 12674–12676——Statement as to the liability of the owner and pilot respectively in case of accident caused by a home-trade passenger ship, *ib.* 12614–12629. 12680–12682——Very small employment of witness's class in other than passenger vessels, *ib.* 12637–12654——Obstacle to witness being licensed for the entire navigation of the Thames, *ib.* 12658–12661. 12677–12679——Charges of witness's class as compared with the charges of the Trinity pilots and of the free watermen, *ib.* 12670–12673.

3. Qualifications of the Pilots:

Satisfaction given generally by the pilotage service in the Thames, though there is some room for improvement, *Sir F. Arrow* 1528. 1597–1599——Very few complaints against the Trinity House pilots, *ib.* 1733——Qualifications required in Trinity House pilots; necessary position as master or mate in the merchant service before they are licensed by the Trinity House, *Millen* 7252–7262——Great confidence placed by witness in the Trinity House pilots; especial value of their previous nautical experience as masters or mates, *Castle* 7698–7706.

Importance of the Thames pilots having served as masters or mates, *Tillman* 7765, 7766——Requirement as to the pilots between Gravesend and London having commanded vessels, *Pattison* 8879–8889——Several examinations passed by witness; previous service at sea, *Speeding* 9050–9052——Qualifications of witness's class adverted to, *Luton* 12664–12669.

4. Rates:

Opinion as to the present pilotage rates in the Thames not being excessive, *Sir F. Arrow*, 1851–1857——Different rates paid by steamers and by sailing ships, *Duncan* 9695–9679.

Scale of payment for one pilot from London to the Downs, and for two pilots for the same distance; saving in the former case, *App.* 531.

Order in Council dated 1st November 1862, together with Schedule attached thereto, relative to the rates of pilotage within the Trinity House district, *App.* 531–534.

5. Question as to the Sufficiency of the Supply of Trinity Pilots:

Inadequate supply of licensed pilots for all the vessels which want pilots in the Thames; facility with which any deficiency may be supplied by the Trinity House, *Farrer* 789–795. 818——Insufficiency of the licensed pilots above Gravesend; special and exceptional circumstances of this part of the pilotage, *ib.* 890 *et seq.* 1023.

Absence of change in the number of pilots in the Thames during the last ten years, though the number has been decreasing round the coast; belief as to the sufficiency of licensed pilots, *Sir F. Arrow*, 1521–1527. 1768–1770. 1863. 1918–1920——Occasional demand in the Thames for more pilots than are comprised in the licensed staff at Dungeness, &c.; use made of the services of Deal boatmen and of watermen on these occasions, *ib.* 1662–1664.

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

III. *Generally as to the Pilotage Service, its Administration, &c.*—continued.

5. Question as to Sufficiency of Supply of Trinity Pilots, &c.—*continued.*

Decrease since 1862 in the number of ships in the Thames, although the tonnage had largely increased; this partly accounts for the non-increase in the number of pilots, *Sir F. Arrow* 1768–1770——Large number of free watermen and of unlicensed pilots in the Thames above Gravesend, and large amount of pilotage work done by them; denial that this proves any insufficiency of licensed pilots, *ib.* 1862–1864. 1885–1900. 1907. 1918–1920——The licensed pilots could do more work than they now get, *ib.* 1898–1900. 1907. 1917.

Obstacles to the Trinity House licensing additional pilots, as interfering with the incomes and the efficiency of those in the service, *Millen* 7350–7357. 7501–7504——Decided inadequacy of the present staff of licensed pilots for the work in the Thames, so that there is ample room for the watermen, *Hinton*, 9455–9458. 9492–9496. 9527–9531——Disapproval of the attempted regulation of the number of pilots in the Thames, *Duncan* 9721–9725——Insufficient number of licensed pilots between Gravesend and London; complaint made to the Trinity House on the subject, *Robinson* 12762. 12832–12834.

6. Question of retaining a separate Station at Gravesend, or of licensing Pilots for the whole Distance to and from Dungeness:

Opinion favourable to pilots being licensed for the whole distance from London to the sea, instead of there being a break at Gravesend, *Sir F. Arrow* 1872——Approval of the regulations in regard to separate pilots above and below Gravesend, *Mallett* 7581, 7582; *Taylor* 8078–8082——Evidence favourable to the pilots below Gravesend being licensed to pilot also between London and Gravesend, *Barfield* 8366–8406. 8455–8458. 8477–8483. 8495, 8496——Objection to the pilots being compulsorily stationed at Gravesend; statement hereon as to a large number cruising to London in order to be selected for employment at Gravesend, *ib.* 8394–8405. 8420–8436. 8462–8465——Approval of a separate class of pilots inwards and outwards, *ib.* 8466–8476——Restriction by Act upon the same man piloting above and below Gravesend, *ib.* 8495, 8496.

Non-objection to the Gravesend pilots outwards being licensed to pilot all the way from London, *Daines* 8522–8529——Complaint as to the Bill abolishing the station at Gravesend, and permitting the same pilot to take a ship right through; great importance of a separate class above and below Gravesend, *Pattison* 8740–8751. 8774–8777. 8785–8789. 8800–8802. 8861–8864. 8874–8878. 8890–8903. 8953, 8954——Approval of pilots going both up and down within their own districts, *ib.* 8942–8951.

Witness submits grounds for the conclusion that he and other pilots licensed from London to the Downs should also be licensed to bring ships right through without break of pilotage at Gravesend, *Speeding* 9001 *et seq.*——Waste of time under the system of pilots acting outwards only, *ib.* 9132–9141.

7. Working of the Cruising Station at Dungeness:

Frequent complaint by shipowners that the pilots skulk under Dungeness, and that the ships cannot find them, *Farrer* 786——Employment of four pilot-cutters at Dungeness; maintenance of these by the Trinity House out of the "boarding money" paid to the pilots in addition to the pilotage rate, *Sir F. Arrow* 1427–1434. 1629–1633. 1854, 1855——Doubt whether there can be any improvement upon the present cruising ground at Dungeness, as by stationing the cutters farther to the west, *ib.* 1459. 1668, 1699.

Employment of four pilots cutters at Dungeness, *Millen* 7267–7269——Arrangements as to the maintenance and management of the cutters; improvement if the boats were owned by the pilots, *ib.* 7392–7409. 7480–7489——Cruising of the cutters between Dungeness and the Downs; expediency, if any alteration be made, of retaining compulsory pilotage from the Downs, *ib.* 7410–7415——Practice as to pilots at Dungeness being employed in turn, whilst in the case of vessels outwards selection prevails, *ib.* 7467–7469.

Disadvantage in the boats cruising further out instead of being stationed at Dungeness, *Mallett* 7664–7667——Advantage of Dungeness over Beachy Head as a cruising station, *Tillman* 7767–7769——Very satisfactory working of the pilot station at Dungeness, *Taylor* 7935, 7936.

Grievance in being compelled to take pilots at Dungeness, and in there being no power of selection in the case of ships inwards to London as there is in the case of ships outwards, *Duncan* 9550. 9562–9572. 9649–9662——Instances of witness's ships not being able to get pilots at Dungeness under the voluntary system, *ib.* 9638——Frequent com-

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

III. *Generally as to the Pilotage Service; its Administration, &c.*—continued.

7. Working of the Cruising Station at Dungeness—*continued.*

plaint as to pilots not being found at Dungeness or as far out as is desirable, *Robinson* 12754, 12755. 12847, 12848.

8. Other Details generally:

General practice of vessels in the upper waters of the Thames to take pilots, *Farrer* 796–798——System of superintendence and control to which the pilots are subject, *Sir F. Arrow* 1425, 1426——Average of 340 *l.* a year as the gross earnings of sixty-four of the pilots between Dungeness and Gravesend, *Millen* 7260. 7323–7325——Control exercised by the Trinity House over the pilots at Dungeness, &c. *ib.* 7391. 7452–7454——The great majority of vessels outwards get rid of their pilots in the Downs, *Millen* 7414 7415; *Mallett* 7537, 7538.

Approval of the system of licensing masters and mates in the Thames, *Taylor* 8023–8026——Voluntary employment of pilots by some large vessels from Dungeness to the Isle of Wight; probable reduction of such employment under the Bill, *Barfield* 8437–8454——Practice as to choice of pilots by captains and owners, as well as brokers and others; restriction desirable in the latter case, *Pattison* 8857–8860. 8895–8903. 8952. 8996–8999.

Witness and other pilots are employed by choice, and would not suffer under the Bill, *Speeding* 9021–9028. 9044, 9045——Objectionable practice in the employment of brokers' clerks and others for procuring ships for pilots, 9095–9109——Payment made to the Trinity House whenever a choice letter is granted for the employment of any pilot; return of this money if the pilot does not go with the ship, *ib.* 9206–9217.

Probability under the Bill that an increased number of masters and mates of coasting vessels will take out pilotage certificates, *Luton* 12573, 12574. 12692–12698. 12727–12729——Liability of all coasting steamers and other vessels carrying passengers to compulsory pilotage, *ib.* 12712–12715.

Statement showing the number of vessels that entered the port of London, and paid light, &c., duties during 1869, *App.* 580.

IV. *As to the Thames Watermen:*

1. Details as to their Number, Qualifications, and Services:

Large number of watermen who act as unlicensed pilots, *Farrer* 116. 123, 124. 128–130. 133–135——Absence of collision between the licensed pilots and the watermen as to the latter piloting small ships, *Sir F. Arrow* 1664. 1917——Qualifications of the Thames watermen as regards navigation between Gravesend and London adverted to; doubt as to shipowners taking a waterman on board as well as a pilot, in order to assist in the pilotage, *ib.* 1719–1723. 1892–1894.

Doubt as to the expediency of licensing the free watermen; approval rather of the licensed men being protected against their encroachments, *Sir F. Arrow* 1862. 1865–1868. 1885–1924——Exception taken on the score of qualification to the licensing of the free watermen, *ib.* 1901–1914.

Limited qualifications required in piloting between Gravesend and London, *Hills* 2924–2928——Comment upon the employment of watermen and Deal boatmen in piloting large ships; their liability to be superseded by the Trinity pilots, *Millen* 7333–7344. 7366–7372. 7499, 7500——Grievance to the licensed pilots on account of the evasion practised by unlicensed men, *Daines* 8513–8515.

Complaint in regard to the operation of a limited number of unlicensed pilots or free watermen between London and Gravesend; necessity of a more stringent law on this subject, *Pattison* 8762–8766. 8780–8784. 8791–8799. 8803–8811. 8832–8851. 8907–8917. 8921–8930——There are only ten or twelve unlicensed men employed between Gravesend and London, their earnings being about 900 *l.* a year, *ib.* 8838–8840. 8842–8844. 8911–8917——Doubt as to an increased licensing of men by the Trinity House doing away with the unlicensed men; lower charges of the latter adverted to hereon, *ib.* 8852–8856. 8904–8910——Non-objection to the employment of watermen between London and Gravesend if there were work enough for them, and if their qualifications were proved by examination, *ib.* 8962–8976——Unnecessary expense incurred by any owners who employ a waterman as well as a pilot, *ib.* 8977–8982.

Witness served an apprenticeship of seven years before being licensed by the Watermen's Company, *Hinton* 9224–9230——Previously to 1862 witness piloted sailing vessels and steamers, and has since piloted steamers only, *ib.* 9231–9233——Statement as to witness and other watermen pilots being frequently employed to navigate ships when there is also a Trinity pilot compulsorily taken; conclusion that this is done on account

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

IV. *As to the Thames Watermen*—continued.

1. Details as to their Number, Qualifications, and Services—*continued.*

of the superior skill of the watermen, *Hinton* 9234–9243. 9363–9373. 9418–9432. 9444–9449. 9472–9478. 9487–9491. 9521–9525. 9532–9537——Employment of from twenty to twenty-five free watermen in piloting steamships between London and Gravesend, there being from 400 to 500 employed in sailing ships, and the total earnings being calculated at 26,400*l.*, *ib.* 9253–9275. 9320–9331.

Obstacles to the great majority of the free watermen undergoing examination for Trinity pilotships, *Hinton* 9297–9301——Statement as to two free watermen having been appointed to pilot Government ships between London and Gravesend, having first passed an examination at the Trinity House, *ib.* 9302–9315. 9390–9396——Information as to the training which qualifies watermen as pilots: circumstance of no examination being passed, *ib.* 9373–9385. 9433–9443.

Facilities desirable as regards the examination of watermen in order to become licensed pilots, *Duncan* 9608–9619——Occasional employment by witness of a waterman as well as a pilot, the latter having charge of the ship, *ib.* 9701–9703.

Large number of free watermen disqualified for a license through not having been twelve months at sea, or through being over thirty-five years of age, *Wood* 12431, 12432. 12526, 12527——Non-objection to others besides free watermen having the privilege to pilot, if properly qualified: large number of watermen adverted to hereon, *ib.* 12498–12506. 12516–12523——Qualifications of the watermen pilots; witness would not object to the test of an examination, 12507–12515. 12524, 12525.

Occasional employment of free watermen to assist in the navigation or to pilot between London and Gravesend; doubt as to these having any grievance under the Bill, *Luton* 12582–12592.

2. Rates and Earnings:

Probable advantage if the rates of the watermen between London and Gravesend were fixed, *Farrer* 936——Much lower charges of the watermen than of the pilots, *ib.* 903——Circumstance of unlicensed pilots being frequently employed in the Thames, on account of the reduced charge, *Sir F. Arrow* 1517–1520. 1897——Large earnings of some of the watermen, *ib.* 1864. 1890, 1891. 1904.

Much lower charges of the watermen pilots than of the Trinity pilots, though this is not the reason of the employment of the former in preference to the latter, *Hinton* 9244–9249. 9370–9372. 9402–9417——Large earnings of witness and some other watermen pilots, one making 900*l.* a year; small earnings, however, of the great majority, *ib.* 9250–9252. 9265–9274. 9464–9469. 9483–9486——Efficiency and low charges of many of the Thames watermen as pilots, *Duncan* 9603–9607.

Varying earnings of free watermen as pilots, many not making more than 50*l.* a year, *Wood* 12433–12435. 12533, 12534——Very low rates of the watermen as compared with those of the licensed pilots; regulation of the charges in the former case by the owners and captains, *ib.* 12528–12530. 12533, 12534——The maximum charge for any ship is 2*l.*, *ib.* 12534.

3. Effect of the Bill as regards their Employment:

Non-interference of the Bill with the watermen of the Thames; question of their being superseded by the licensed pilots adverted to, *Farrer* 814–819——Consideration of the position and claims of the free watermen of the Thames with reference to pilotage between London and Gravesend; extent to which they may have a claim to be licensed, so as not to be superseded by the licensed pilots, *ib.* 890 *et seq.*; 946, 947.

Complaint as to the power of the Trinity pilots to supersede the watermen; grounds for apprehending that this power will be largely exercised if the Bill be passed, unless some protective clauses be inserted, *Hinton* 9276–9296. 9316 *et seq.*——Probability of the licensed pilots superseding Mr. Hinton and other watermen if the Bill be passed; great abuse at one time in this respect, *Duncan* 9718–9720.

Desire of the watermen to be allowed to retain the pilotage of coasters, colliers, and ships from the Baltic without undue interference on the part of the licensed men; apprehension as to the effect of the Bill in this respect, *Wood* 12457–12497——Information as to the liability of witness to be superseded on board by a Trinity House pilot; grounds for complaint on this score, *ib.* 12436 *et seq.*

V. *Exemptions from Compulsory Pilotage:*

Information as to the exemptions in the Thames; tendency to increased exemption on the part of the Trinity House, *Farrer* 67–73. 110. 221, 222. 461. 760–764; *Sir F. Arrow* 1372, 1373. 1413, 1414. 1737–1745. 11885–11887——Employment of by far the greater number of pilots in the Thames on work which is not compulsory, *Farrer* 116–128——Numerous exemptions in the district from compulsory pilotage, the exemptions being considered

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

V. *Exemptions from Compulsory Pilotage*—continued.

considered fully equivalent to the compulsory cases, *Sir F. Arrow* 1380–1388. 1406–1408.

Large number of coasters and other vessels exempt from pilotage from Dungeness; numerous accidents through pilots not being taken, *Millen* 7291–7299——Approval of exempting ships in the Thames up to 200 tons, *Taylor* 8027–8030. 8058.

Advantage if there were no exemptions in the Thames from the compulsory employment of licensed pilots, nearly all the collisions occurring when unlicensed men are employed, *Pattison* 8782–8784. 8865. 8923–8930. 8955–8961——The only effect of exemption is to lead to the employment of unlicensed in lieu of licensed pilots, *ib.* 8782, 8783. 8817–8820——Uniform rates charged to vessels, whether exempt or not, *ib.* 8985–8987.

Intention to extend exemption to all vessels trading between ports on the continent north and west of Brest and ports in Great Britain, *Sir F. Arrow* 11886, 11887——Complicated character of the present partial exemptions in the Thames, it being better to make exemption general, *Robinson* 12777–12779.

VI. *Accidents:*

Belief as to vessels for London being more frequently lost when without than when with pilots, *Tozer* 8182——Much more frequents accident in the Thames when unlicensed than when licensed pilots are employed, *Speeding* 9152–9158. 9205——Circumstance of the Trinity pilots acting only in the day time, so that they run less risk of accident than the watermen pilots, *Hinton* 9499, 9500.

Impression that a certain return of casualties to vessels without pilots on the Thames refers mainly to vessels of an inferior class not subject to compulsory pilotage, *Sir F. Arrow* 11904–11910——Statement as to there being as many accidents where licensed pilots as where free watermen are employed, *Wood* 12448–12456. 12474, 12475——Fewer accidents to witness's ships when not in charge of licensed pilots, *Robinson* 12871.

VII. *Character of the Navigation:*

Evidence as to the difficulties of the navigation, *Farrer* 347, 348. 799, 800; *Castle* 7736; *Tillman* 7772–7776; *Taylor* 7929, 7930; *Reynolds* 11016–11021; *Robinson* 12798——Careful watching of the sands and shoals in the estuary of the Thames and on the east coast, the changes being great and frequent, *Sir F. Arrow* 11850–11855——Peculiarly difficult character of the Thames district, *ib.* 1393–1395. 1482–1493. 1584–1594. 11840. 11846.

Special care and knowledge required in piloting large ships between the Ness and Gravesend, *Millen* 7263–7266——Great danger and difficulty in either steamers or sailing ships navigating the Thames, unless with a pilot or a captain who is well conversant with the channels, *Tillman* 7779, 7780. 7786–7798——Necessity of a pilot or waterman between Gravesend and London on account of the difficulty of the navigation, *Robinson* 12770–12774.

VIII. *Question of Compulsory or Voluntary Pilotage:*

1. Evidence favourable to Voluntary Pilotage in the Thames District generally:

Conclusions in favour of the abolition of compulsion in the Thames and generally, *Sir F. Arrow* 1389 *et seq.*——Belief that in the Trinity House district the abolition of compulsion would have no material effect upon the employment or earnings of the pilots, *ib.* 1443–1445. 1481. 1767. 1783–1791——Belief that under voluntary pilotage there would be no difficulty in keeping up the supply of pilots at Dungeness, *ib.* 1765–1767.

Approval on the whole of optional or free pilotage in the Thames, *Speeding* 9145–9150——Doubt as to the Bill leading to much reduction in the employment of pilots either inwards or outwards, *ib.* 9174–9182.

Probability of the great majority of vessels continuing to take pilots under a voluntary system, *Duncan* 9551–9561——Pilots under a voluntary system would go as far us Beachy Head and the Isle of Wight, *ib.* 9570. 9639——Very bad marking of the present pilotage system of the Thames, *ib.* 9671, 9672——Importance of abolishing compulsory pilotage, as well as of amending the pilotage authority, *ib.* 9678–9680.

Statement in support of the conclusion that it should be optional in witness to take a pilot in the Thames, *Chaddock* 11450–11465——Expectation that under an entirely free system the licensed men would continue to be employed by the same ships as at present, *Wood* 12531, 12532.

Very onerous expense upon small ships in the Thames, by reason of compulsory pilotage, *Robinson* 12757. 12788–12791. 12805, 12806——Valuable services rendered by the free watermen in piloting vessels between London and Gravesend, whereas they

THAMES, THE (PORT OF LONDON)—continued.

VIII. *Question of Compulsory or Voluntary Pilotage, &c.*—continued.

1. Evidence favourable to Voluntary Pilotage, &c.—*continued.*

are liable to be superseded by the licensed pilots; approval of the pilotage between Gravesend and London being thrown open, *Robinson* 12758–12766. 12871–12901. 12933–12935 ——Instance of the heavy charges for compulsory pilotage between Gravesend and the Downs, whereas witness does not consider any pilot necessary on this part of the navigation, *ib.* 12767–12769. 12775–12777.

2. Evidence opposed to the foregoing View:

Need for a system of police or compulsory pilotage in the Thames, *Henderson* 5097–5100. 5123–5129——Evidence in support of the conclusion that if pilotage were not compulsory from Dungeness, great risk and danger would result from vessels not taking pilots, and there would not be an adequate or efficient supply of pilots in bad weather, *Millen* 7270–7275. 7277–7283. 7289, 7290. 7311–7333.

Views of masters of ships as to the importance of compulsory pilotage in the South Channel of the Thames; very intricate and dangerous character of the navigation adverted to hereon, *Mallett* 7512–7518——Conclusion that many vessels by the South Channel would run great risk in order to save the pilotage rates, and that much loss of life and property would be the result; examination as to the grounds for this conclusion, *ib.* 7552, 7553. 7585 *et seq.*——Disapproval of the removal of all restrictions upon licensing and pilotage in the Thames, *ib.* 7570. 7687–7691 ——Probability of the pilots displaying more energy if the ownership and control of the boats rested with them, *ib.* 7654–7663.

Great danger of increased loss of life and property between Dungeness and London if compulsory pilotage were abolished, *Castle* 7709–7714——Unwillingness and unfitness of witness to navigate his ship through the Thames without an efficient pilot on board, *ib.* 7731–7736.

Increased loss of life and property, if watermen and irresponsible persons were employed instead of qualified pilots, *Tillman* 7751–7753——Belief that under a voluntary system the employment of pilots would fall off one-third, and that they often would not be obtainable in bad weather, *ib.* 7757, 7758. 7812–7839——Practice of witness to employ pilots in all weathers, and sometimes to take them far beyond Dungeness; doubt, however, as to captains generally acting in this way, *ib.* 7758–7762. 7801–7812. 7817, 7828.

Objection to the abolition of compulsory pilotage, *Ralph* 7868, 7869 —— Complaint as to the action of unlicensed men in piloting vessels in the Thames, this being likely to increase under a non-compulsory system, *Barfield* 8291–8294. 8407–8409——Importance of foreign-going ships being able to command the services of pilots who are constantly navigating the Thames, *Taylor* 7931, 7932. 8030–8033 ——Minimum of risk with which the pilotage service of London is now conducted, *ib.* 7937——Expediency of an extension rather than a reduction of compulsory pilotage in the Thames, *Tozer* 8174–8181.

Great reduction in the employment and income of pilots in the Thames, if compulsory pilotage be abolished; reference hereon to the large reduction consequent upon the exemptions from time to time, *Barfield* 8273–8279. 8320–8365. 8437–8454 ——Opinion that a good many large vessels outwards would not continue to employ pilots, *Daines* 8536–8547——Increased difficulty of the navigation by reason of numerous small vessels being in the hands of certificated masters, and not taking pilots; belief that under an entirely optional system this difficulty would be further enhanced, *Luton* 12683–12699.

3. Operation of the Voluntary System in the North Channel; inferences drawn therefrom:

Very satisfactory working of the voluntary system in the North Channel of the Thames, *Sir F. Arrow* 1406–1408. 1467–1471——Character of the vessels of the pilots who cruise in the North Channel; earnings of these pilots as compared with those of the South Channel, *ib.* 1925–1934.

Exceptions taken to the view that the experience of pilotage in the North Channel of the Thames is an argument in favour of voluntary pilotage in the Mersey, *Hill* 2835–2863——Experience of the Thames adverted to with reference to witness's view that, under an optional system in the Mersey, an efficient staff would not be available, *Danson* 3325–3332.

Practice of foreign vessels by the North Channel to take pilots, *Millen* 7311–7320—— Doubt as to the income of the North Channel pilots being nearly as much as that of the South Channel pilots, *ib.* 7321–7327——Rare instances of witness piloting in the North Channel though licensed for the purpose; belief that many unlicensed men are employed, *ib.* 7375–7386.

Much greater difficulty of the South than the North Channel; explanation hereon as to a large proportion of vessels by the North Channel taking pilots, *Mallett* 7585 *et seq.* ——Facility in obtaining pilots off the Ness in bad weather as well as in fair weather, *Tillman*

Report, 1870—*continued.*

THAMES, THE (PORT OF LONDON)—continued.

VIII. *Question of Compulsory or Voluntary Pilotage*—continued.

3. Operation of the Voluntary System in the North, &c.—*continued.*

Tillman 7749, 7750——Examination upon the question of the employment and supply of pilots in the North Channel of the Thames under the voluntary system; reasons for concluding that the same results would not follow in the South Channel, *Taylor* 7970–7998. 8087–8100. 8164.

Somewhat similar class of pilots in the North Channel and the South Channel, the earnings being much the same, *Barfield* 8489–8494——Effect of voluntary pilotage in reducing the employment of licensed pilots; statement hereon as regards the North Channel, that many foreign vessels are compelled by their insurance policies to take pilots, *Pattison* 8764, 8765. 8767–8774. 8812–8830. 8918–8920. 8983, 8984——Information relative to the class of persons who act as pilots in the North Channel under the voluntary system; deficient qualifications of some of these, *Speeding* 9029–9049. 9053–9055.

Satisfactory working of voluntary pilotage in the North Channel, *Duncan* 9592–9599. 9686–9694——Very few complaints as to the supply of pilots in the North Channel, where the pilotage is voluntary, *Sir F. Arrow* 11864–11867——Means of protection open to the licensed men in the North Channel against unlicensed men, *ib.* 11879–11884.

Letter from Mr. Speeding, North Channel pilot, suggesting certain alterations in the system of pilotage in the North Channel, *App.* 527——Letter from the secretary of the Trinity House to the secretary of the Board of Trade, with reference to the suggestions made by Mr. Speeding, *ib.*

IX. *Question of Compensation:*

Propriety of full faith being kept with the Trinity pilots, as regards the question of compensation, *Farrer* 484, 485——Particulars relative to the composition and administration of the Trinity House superannuation fund, the amount of which is now 88,000 *l.*, *Sir F. Arrow* 1435–1442. 1724–1728.

Several sources whence the superannuation fund is made up, *Millen* 7417–7422. 7440–7444——Each pilot contributes 6 *l.* a year to the fund, and the Cinque Port pilots also pay about 15 *l.* a year in dues, *ib.* 7417–7422. 7492–7494——Some of the out-port pilots pay nothing to, and yet are superannuated from, the pension fund, *ib.* 7430——The fund now amounts to about 90,000 *l.*, *ib.* 7440.

Contribution of 6 *l.* a year by the Cinque Ports pilots towards the superannuation fund, though not certain of being eventually superannuated, *Millen* 7522–7527——Compulsion upon the Trinity House to grant superannuation, save in case of misconduct, *ib.* 7528. 7553–7555. 7558–7563——Total contribution of between 16 *l.* and 17 *l.* a year by witness, *ib.* 7556. 7562. 7564——Good prospects given up in order to become pilots, *Castle* 7707, 7708.

Suggestions as to the compensation to be given to the London pilots, *Daines* 8509–8512——Claim of the Trinity pilots to more liberal superannuation out of the pension fund, *Speeding* 9197–9204.

Draft clauses submitted to the Secretary of the Board of Trade on the part of the Gravesend licensed river pilots, *App.* 527, 528——Several points submitted by deputation of Gravesend river pilots to the Board of Trade on 11th March 1870, *ib.* 528.

Statement of the claims of the Gravesend river pilots on the score of compensation for loss of employment, of protection against unlicensed pilots, of limit to personal liability, and of retention of Gravesend as a pilotage station. *App.* 529, 530.

Statement of the Trinity sea pilots as to their claims to compensation, &c. in the event of compulsory pilotage being abolished, *App.* 530.

X. *Detailed Summary by the Committee, and Conclusions arrived at:*

Exemption of ships employed in the coasting trade from compulsory pilotage, *Rep.* viii——Numerous exemptions within the district, whilst the principle of compulsion has still been retained; great anomaly in consequence, *ib.* viii, ix.

Statement of the number of inward pilots and outward pilots, respectively, by the South Channel; functions of each class, *Rep.* ix——Very numerous classes of pilots within the district; particulars hereon as to the number of pilots of each class, and as to the extent of jurisdiction in each case, *ib.* ix, x——Distinct class of pilots introduced in 1854 for vessels between London and Gravesend; number thus licensed, *ib.* x——Statement of the number of pilots licensed inwards and outwards, respectively, by the North Channel; functions of each class, *ib.*

Introduction of a class of licensed pilots for home-trade passenger ships in the Trinity House district in 1854; these pilots are twenty-two in number, *Rep.* x——Control of the Trinity House over the licensed pilots, who are bound to charge certain fixed rates, *ib.*——Large bodies of unlicensed pilots who live altogether or in part by the pilotage of

THAMES, THE (PORT OF LONDON)—continued.

X. *Detailed Summary by the Committee, and Conclusions, &c.*—continued.

the vessels trading to and from London, who are subject to no special rules, and have no special privileges, *Rep.* x, xi.

Efficiency and economy by the employment of unlicensed pilots in the North Channel and between London and Gravesend, *Rep.* x, xi——Large portion of the pilotage between London and Gravesend which is performed by unlicensed free watermen, *ib.* ——Grounds for concluding that efficiency and economy are secured by the employment of the watermen, *ib.* xi.

Numerous complaints on the part of shipowners and pilots as to the operation of the present compulsory system, *Rep.* xi, xii——Reference to the complaints by shipowners as to their having no choice of pilots at Dungeness, *ib.* xi ——Several complaints and difficulties adverted to as having arisen out of that part of the system which is compulsory and not out of that part which is voluntary, *ib.* xiii——Complaint by the unlicensed watermen as to the power of the licensed pilots to supersede them, *ib.*——Absence of complaints, save on the part of the pilots, against the existing exemptions, *ib.*

Conclusion of the Committee, based upon the experience of compulsory and voluntary pilotage in the Trinity House district, that the greater the freedom of contract the greater the prospect of satisfaction to employer and employed, *Rep.* xii.

Insertion by the Committee of a clause in the Bill enabling the Trinity House, or, in the event of their refusing, the Board of Trade, to license persons for the part of the river above Gravesend, *Rep.* xii, xiii——Suggestions on the subject of rates, *ib.*

Great consideration due to the pilots who have undertaken their present licenses on the faith of the present system, *Rep.* xiii.

Advantage if the sea pilots, whether by the North Channel or the South Channel, were licensed for the whole distance between London Bridge and the sea, *Rep.* xiii——Improvement if the Trinity House were by degrees to enlarge the number of unlicensed pilots by the North Channel, *ib.*

Suggestion as regards the South Channel whether some freer system should not be established with respect to the cruising ground of the pilots, *Rep.* xiii——Proposal that a maximum but not a minimum rate be fixed for sea-going pilots, *ib.*

Unjust principle upon which the superannuation fund is constituted and administered, *Rep,* xiii, xiv——Mischievous operation of the fund as tending to prevent reforms, *ib.* xiv——Conclusion that the system should be altered by winding up the fund; alternative modes in which this might be done, *ib.*

Evidence of the pilots adverted to as having reference rather to the amount of compensation they should receive than to the question of abolition of compulsion, *Rep.* xiv.

Conclusion of the Committee that no case has been made for continuing compulsory pilotage in the port of London, *Rep.* xiv——The first step to be taken is to free the shipowner from all obligation to take a pilot when he does not require one, *ib.*

Circumstance of no difficulty being experienced in the Thames in obtaining the services of efficient pilots, though a large proportion of the ships are free from compulsory pilotage, *Rep.* xxviii.

See also *Barges. Cinque Ports Pilots. Deal Boatmen. Licensed Pilots. Liverpool,* IV. *Out-ports. Penalties. Shipowners. "Spindrift," The. Trinity House. Tugs. Voluntary Pilotage.*

Tidal Harbours. Special police regulations necessary in the case of tidal harbours, in the absence of compulsory pilotage, *Farrer* 885, 886.

Tillman, Henry. (Analysis of his Evidence.)—Long experience of witness in command of ships in and out of London, 7748——Facility in obtaining pilots off the Ness in bad weather as well as fair weather, 7749, 7750——Increased loss of life and property if watermen and irresponsible persons were employed instead of qualified pilots, 7751-7753 ——Necessity of pilots for long-voyage vessels arriving in the Thames, 7754-7756. 7798.

Belief that under a voluntary system the employment of pilots would fall off one-third, and that they often would not be obtainable in bad weather, 7757, 7758. 7812-7839—— Practice of witness to employ pilots in all weathers, and sometimes to take them far beyond Dungeness; doubt, however, as to captains generally acting in this way, 7758-7762. 7801-7812. 7817-7828——Less efficiency if the present incomes were not maintained, 7763, 7764——Importance of the Thames pilots having served as masters or mates, 7765, 7766.

Advantage of Dungeness over Beachy Head as a cruising station, 7767-7769—— Probable employment of "hobblers" instead of licensed pilots, if there were no restriction, 7770, 7771. 7781-7785——Opinion that the navigation of the Thames is certainly more difficult than that of the Mersey, 7772-7776——Increased necessity for a pilot when

Report, 1870—*continued.*

Tillman, Henry. (Analysis of his Evidence)—*continued.*

when a tug is used, 7777, 7778——Great danger and difficulty in either steamers or sailing ships navigating the Thames, unless with a pilot or a captain who is well conversant with the channels, 7779, 7780. 7786–7798.

Tozer, Alfred. (Analysis of his Evidence.)—Is secretary of the Universal Marine Insurance Company, 8165–8167——Views of underwriters as to the great importance of an efficient pilotage service for the safety of ships and their cargoes, 8168–8173——Expediency of an extension rather than a reduction of compulsory pilotage in the Thames 8174–8181——Belief as to vessels for London being more frequently lost when without than when with pilots, 8182.

Suggestions for amending the present system as to liability for accident when there is a pilot in charge; opinion favourable to an increase of the immunity of the owner, 8183–8189. 8228–8231. 8235–8241——Expectation that if pilotage were not compulsory the employment and earnings of pilots would decrease, and a less efficient body of men would be the result, 8190, 8191. 8204–8219. 8232–8234——Exception taken to the employment of Deal boatmen instead of licensed pilots; statement hereon as to witness not having been aware that this is provided against under the Bill, 8191–8197. 8220, 8221.

Witness has not read the Bill, and is merely prepared to give his opinion in favour of compulsory pilotage, 8198–8206——Tendency of optional pilotage to enhance the insurance rates upon those ships which do not employ pilots, 8242–8253. 8265–8267——Tendency also of the probable action of the underwriters to lead indirectly to a sort of compulsory pilotage, 8253–8262—— Liability of the underwriter of a ship which runs down another ship, for three-fourths of the claim, one-fourth falling upon the owner, 8268, 8269.

Trinity House:

Great extent of coast comprised in the Trinity House district, the exemptions from compulsory pilotage being exceedingly numerous, *Farrer* 106, 109–113——Liberal action of the Trinity House in the matter of certificates to masters and mates, *ib.* 110–102——Various exemptions made by Order in Council, *ib.* 110——Exemption in the case of ships navigating in ballast, *ib.*

Important change of opinion on the part of the Trinity House relative to the question of exemption from compulsory pilotage; feeling now in favour of an extension of the exemptions, *Farrer* 221, 222. 461. 760–764.

Great extent of the pilotage district of the Trinity House, it being the largest district in the kingdom, *Sir Frederick Arrow* 1370. 1376, 1377——Explanation that on the question of compulsory pilotage witness speaks only for himself, having no authority to submit the views of the Elder Brethren, *ib.* 1372–1375. 1389——Readiness evinced by the Trinity House in granting exemptions, although some years since they were opposed, as a body, to the abolition of compulsion; the subject has not been discussed since 1862, nor has the present Bill been considered, *ib.* 1372–1374.

Very large examination of masters and mates by the Trinity House for pilotage certificates, the certificates being confined to the ships of the same owner, *Sir Frederick Arrow* 1409–1412——Further statement as to the Trinity House having for some years past acted in the direction of increased exemptions from compulsory pilotage, *ib.* 1413, 1414. 1737–1740. 1742–1745——Jurisdiction exercised by the Trinity House, not only as to the limits of the different pilotage districts, but as to the number of licensed pilots for each district, *ib.* 1418–1424.

Statement as to the pilotage committee of the Trinity House not having been consulted with reference to the Bill, *Sir F. Arrow* 1569–1574——Further explanation in regard to the Trinity Board not having discussed the question, nor recorded their opinion since 1862, *ib.* 1575–1580——Information relative to the examination of the Trinity House for pilotage certificates; qualifications required, *ib.* 1831–1834——Consideration of the constitution of the Trinity House with reference more especially to the question of representation of the mercantile and shipping interest at the Board, *ib.* 1703–1718. 1837–1839.

Improvement if there were a licensing pilotage authority, for the Trinity House district, distinct from the administrative authority, *Henderson* 4980–4989——Improvement if there were a separate representative body for administering pilotage in the port of London, *Taylor* 8056–8058. 8142–8149; *Robinson* 12835–12838——Expediency of the shipowners of London being properly represented in the pilotage, *Duncan* 9633. 9671–9678. 9698–9700. 9724.

Steps contemplated by the Trinity House far largely extending the exemptions in the Thames, irrespectively of the Bill, *Sir F. Arrow* 11885–11887.

Return of the several pilotage districts of the Trinity House, showing in each case the number of pilots, average earnings, and extent, *App.* 559.

Inference as to the Trinity House being favourable to the principle of the Bill, *Rep.* xiv.

Report, 1870—*continued.*

TRINITY HOUSE—continued.

Concurrence of the committee in the proposal that a distinct pilotage authority be created for the port of London, *Rep.* xiv.

See also *Outports. Thames, The.*

Triphook, Richard S. (Analysis of his Evidence.)—Commands one of the mail packets between Holyhead and Kingstown, 8551, 8552——Testifies to the efficiency of the Dublin pilot service under the compulsory system, but is not prepared to say the service would be less efficient under an optional system, 8553–8569. 8572, 8573——Considers that the pilots should be well compensated under the Bill, 8569. 8580–8584——The captains of the Holyhead packets are all certificated pilots, 8570, 8571——Coasters would dispense with pilots under an optional system, it being a hardship to force pilots upon them, 8574–8581.

TUGS:

Objection of steam tug owners to undertake the responsibility of piloting ships; question hereon as to the licensing of tug owners as pilots, *Farrer* 1001–1014——Interest of many of the licensed pilots of the Thames in steam tugs; proposal at one period by the Trinity House for prohibiting the pilots from owning tugs, *ib.* 1028, 1029——Invariable practice of the vessels which employ steam tugs up to Gloucester to take pilots also; deduction from the pilotage rate in such case, *Clegram* 1347–1350——Difficulty of the question of the captain of a steam tug being regarded as a licensed pilot, *Sir F. Arrow* 1807–1812. 1849, 1850——Objection to the plan of having the tug alongside in towing, *ib.* 1881–1884.

Difficulties in the way of accepting tug-boats as pilots, *Hills* 2792–2796——Necessity of a pilot when a steam tug is employed, *Danson* 3180. 3284–3287; *Henderson* 5094–5096. 5116–5122; *Alexander* 5505–5507; *Bouch* 10982–10991——Objection to reliance upon steam-tugs for the piloting of sailing vessels in the Mersey, *Shallcross* 3506–3511. 3518, 3519——Probability of many vessels in the Mersey trusting to steam-tugs without a pilot if there were no compulsion; danger thus incurred, *Lamport* 3584–3589. 3679–3681.

Expectation that under voluntary pilotage pilots and tugs will gravitate towards each other, and that extortionate demands would be the result, *Simpson* 4232–4237. 4525. 4549–4564. 4569——Non-reduction of rates at Liverpool in the case of vessels in charge of steam-tugs, *ib.* 4492——Practice as to the use of tugs in the Clyde, the vessels towed having compulsory pilots on board, *Turner* 4795–4800. 4863–4870.

Ample supply of steam-tugs in the Humber; doubt whether there would be an equally ample supply of pilots under an equally voluntary system, *Brewis* 5984–6005——Examination as to steam-tugs being found in the Humber whenever they are wanted, though witness expects that pilots would not be always forthcoming under a voluntary system; respects in which the two cases are not analogous, *Lumsden* 6154–6169. 6255–6258. 6269–6278.

Extended use of steam-tugs in the Thames if there were not compulsory pilotage, *Millen* 7274——Increased responsibilty of the pilot when a steam-tug is used; instances of danger through the employment of tugs, *Mallett* 7540–7543. 7676–7681——Increased necessity for a pilot when a tug is used; illustration of this, *Castle* 7712–7714; *Tillman* 7777, 7778.

Effect of voluntary pilotage at Liverpool in inducing tugs to go further down the Channel, *Taylor* 7994–8006. 8140, 8141——Probability of masters taking tugs and dispensing with pilots, without the owners being able always to prevent their doing so, *ib.* 8002–8006. 8013–8018. 8128–8141.

Frequent employment of tugs from beyond Dungeness up to London, *Barfield* 8484–8486——Limited employment of tugs in the north channel of the Thames, *ib.* 8487——Constant employment of tugs between London and Gravesend, *ib.* 8488——Expected use of tugs by vessels inwards for taking them past the pilotage ground, *Daines* 8536–8538.

Reduction in the rates in the Thames when tugs are employed, *Speeding* 9183–9189——Improbability of the Bill causing pilots to be dispensed with when tugs are employed, save in the case of unloaded vessels, *ib.* 9190–9196——Necessity of large ships taking pilots when employing tugs, *Duncan* 9586–9596——Absence of necessity for a pilot when a vessel is being towed out of Liverpool, most vessels using a tug both in and out of the Mersey, *Chaddock* 11548–11553.

Strong evidence before the Committee that steam tugs are no substitutes for pilots, *Rep.* xxvii.

Turner, Angus.—(Analysis of his Evidence.) Is Town Clerk of Glasgow; has been Parliamentary Secretary for more than thirty years to the Clyde Navigation Trustees, 4775–4781——Numerous accidents in the Clyde before 1825, when there was no pilotage in the river; necessity then shown for the introduction of compulsory pilotage, 4782. 4802, 4803.

Report, 1870—*continued.*

Turner, Angus. (Analysis of his Evidence)—*continued.*

4803. 4840——Clause in the Act obtained by the Clyde Trustees in 1825, showing the local powers under which pilotage was established, 4782——Regulations adopted by the Pilotage Board in 1826, in order to enforce compulsory pilotage at fixed rates, 4783, 4784.

Great improvement consequent upon the introduction of the compulsory system, 4785——Explanation relative to the Act obtained in 1858, and the provisions therein combining the pilot boards of Glasgow and Greenock into one pilotage authority for the river and firth of Clyde; powers given to the pilot board thus constituted, 4786–4788——Bye-laws passed by the board on the subject of licenses; practice of the Glasgow committee to license compulsory pilots, and of the Greenock committee to license non-compulsory or deep-sea pilots, 4789–4793.

Exemption of vessels above sixty tons, and also of vessels up to 100 tons, under certain conditions which have not been fulfilled, 4789. 4795–4798. 4861, 4862——Probability of the pilot board of Glasgow making improved regulations if left to themselves; opinion that one great improvement would be to remove the exemption of any vessel over thirty tons above Greenock, 4794. 4804, 4805.

Particulars relative to the enormous increase of traffic on the Clyde, and the exceedingly difficult character of the navigation above Greenock, so that witness advocates an extension rather than a diminution of compulsory pilotage on this part of the river, 4794. 4804–4843. 4858, 4859. 4878–4887——Practice as to the use of tugs in the river, the vessels towed having compulsory pilots on board, 4795–4800. 4863–4870——Very strong feeling in Glasgow against the present Bill, 4801, 4802. 4814.

Approval of non-compulsory pilotage below Greenock, 4806, 4807. 4838. 4871–4877——Absence of complaint against the compulsory pilotage rates or against the pilots, 4808, 4809——Statement of the circumstances under which the pilot board met at Glasgow instead of at Greenock, upon the occasion of the preparation of a petition against the Bill; there was nothing regular in the proceedings, 4844–4857.

Tyne, The. Considerable difficulty of a portion of the Tyne pilotage, *Farrer* 335——Doubt as to the voluntary system in the Tyne having been the cause of a large excess of pilots, *ib.* 612, 613——Efficiency of the pilot service of the Tyne under the voluntary system, *Sir F. Arrow* 1634–1638.

Reference to the Tyne ports and certain other ports, as comparitively free from difficulty, so that voluntary pilotage may well answer in them, *Hills* 2706–2716——Comparatively easy pilotage of the ports in the Tyne and Wear, so that voluntary pilotage may be found efficient there, *Shallcross* 3446–3450. 3469–3472. 3523–3531——Inadequate supply of pilots for the Tyne and Wear during the winter months, *Henderson* 5086–5091——Reasons why an ample supply of pilots may exist in the Tyne and Wear, under non-compulsory pilotage, though they would not be found in the Clyde, *Alexander* 5471–5478.

U.

Underwriters. Power of the underwriters to protect themselves by an increased premium, so that they would not suffer by the Bill, *Danson* 3394–3401——Doubt as to the underwriters in London being, as a body, opposed to compulsory pilotage; absence of analogy, however, between the Thames and Mersey, *ib.* 3420–3422——Statement as to its not being the practice of underwriters to make it a condition that a pilot must be employed, *Lumsden* 6143–6149. 6205–6210. 6250–6254——Views of underwriters as to the great importance of an efficient pilotage service for the safety of ships and their cargoes, *Tozer* 8168–8173——Exception taken to the views of the underwriters of Liverpool on the present question, *Inman* 10309–10311.

See also *Insurance.* *Lloyd's.*

Uniformity. Concurrences in the view that uniformity throughout the kingdom should, as far as possible, be adopted, the present Bill being a substantial instalment of what is required, *Farrer* 536–543——Doubt as to the expediency of any general or uniform principle being laid down by law on the subject of pilotage, *Danson* 3196–3203; *Lamport* 3619–3621. 3673–3675——Expediency of as much uniformity as possible in the pilotage system round the coast, *Henderson* 4972–4979.

See also *Anomalies of System.* *Local Authorities.* *Voluntary Pilotage.*

United States. Explanation relative to the law of the United States upon the question of liability as affected by compulsory pilotage, *Farrer* 84–86——Circumstance of the ship being liable in the United States, although there is compulsory pilotage, *ib.* 834–839——Obligation in America as to compulsory payment, whilst there is no immunity of the owner, *Lamport* 3667.

Report, 1870—*continued.*

United States—continued.

Official communications explanatory of the state of the law in the United States on the subject of the liability of owners for accidents when the ships have been in charge of pilots compulsorily employed, *App.* 516, 517.

Judgment of the Supreme Court of the United States upon the question of liability in the case of the "China," a British vessel, by which the tug "Kentucky" was sunk by collision in New York waters; decision that the owners of the "China" were liable, notwithstanding she was in charge of a licensed pilot, *App.* 517-522.

See also *New York.*

Unlicensed Pilots. Regulations under sections 360 and 361 of the Merchant Shipping Act in regard to unqualified pilots being superseded by qualified pilots, *Farrer* 24, 25 ——Objection to an unlicensed man taking charge of a vessel in port, but not at open sea, *Inman*, 10378, 10379.

See also *Pilots. Penalties.*

Unseaworthiness. Consideration of the question whether it would not be a misdemeanour under the Merchant Shipping Code to dispense with a pilot as causing unseaworthiness, *Taylor* 8034-8044——Doubt as to a ship being rendered unseaworthy in the eyes of the law, when a pilot is not employed in pilotage waters, *Duncan* 9681-9685.

V.

VOLUNTARY PILOTAGE:

1. *Evidence in Approval.*
2. *Evidence in Disapproval.*
3. *Conclusions of the Committee.*

1. *Evidence in Approval:*

General tendency of legislation in recent years towards the abolition or modification of the compulsory system; instances of this at Bristol and Newcastle, *Farrer* 11-20. 98-103——Report of Mr. Lindsay's Committee of 1860, cited as showing the conclusions then arrived at favourable to a system of voluntary pilotage; that is in most parts of the country, *ib.* 92-97——Several instances of voluntary ports where the staff of the pilots is as ample and efficient as in compulsory ports, *ib.* 211——Absence of any desire for any change, or of any complaint of want of pilots where voluntary pilotage is in force, *ib.* 213-215.

Approval of a voluntary system irrespectively of the question of liability, *Farrer* 270, 271——Opinion that the voluntary system will prove just as efficient at one port as another, as the supply will be in proportion to the demand, *ib.* 318. 324-338——Belief that pilots will be just as much employed if compulsion be abolished, and that the relation between employer and employed will be much more healthy, *ib.* 614. 861-864——Expectation that there will be no difficulty through pilots not being in attendance when wanted, *ib.* 671-675.

Probability of the same pilots being still employed, the chief or only difference being that the employment would be voluntary, *Farrer* 676-678. 681-683——Abundance of pilots expected to be found, wherever there is a demand for them, under the voluntary system, *ib.* 724. 729——Expectation that pilots will show greater zeal under the voluntary system, *ib.* 756, 757. 769. 782-788. 887——Objection to any local exceptions from the Bill, *ib.* 884-886.

Opinion that pilotage should either be entirely voluntary or entirely compulsory; grounds for concluding that the voluntary system should be adopted generally, *Sir F. Arrow* 1389-1408——Belief that on the whole pilots will be as much employed under a voluntary system, and that safety of life and property will not be jeopardised, *ib.* 1389. 1391, 1392——Equal employment of pilots under a voluntary system wherever the navigation is difficult, *ib.* 1443, 1444.

Tendency of the voluntary system to render the pilots more vigilant and zealous, *Sir F. Arrow*, 1457, 1458. 1465-1467——Expectation that under voluntary pilotage there will be equally good attendance at sea in bad weather, *ib.* 1464-1466. 1665-1667. 1758 1761——Witness repeats that he sees no necessity for exemptions from a non-compulsory system, *ib.* 1728-1732. 1759.

Approval of non-compulsory pilotage generally, the Clyde being altogether an exceptional case, *Allan* 5273-5278——Grounds for the conclusion that the competition under free pilotage would secure greater efficiency than now results from compulsory pilotage, *Duncan* 9550. 9570-9575. 9621-9625. 9638-9648. 9729. 9743——Belief as to the large employment of pilots, and the large earnings, under an optional system, *ib.* 9583-9602 ——Effect of a voluntary system to weed out the inefficient men, *ib.* 9601, 9602.

Tendency

Report, 1870—*continued.*

VOLUNTARY PILOTAGE—continued.

1. *Evidence in Approval*—continued.

Tendency of the competition under a voluntary system to cause the pilots to be more energetic and to go farther to sea, *Leyland* 9998–10000. 10017–10019. 10029, 10030. 10043. 10166–10171——Opinion favourable to voluntary pilotage, generally, witness attaching great importance to the right of selection of pilots, *Inman* 10238–10245. 10286–10297——Evidence in support of the conclusion that vessels would continue to employ pilots under a voluntary system; practice of witness in non-compulsory ports adverted to hereon, *ib.* 10259–1 270. 10428–10432. 10441–10444.

Decided approval of voluntary pilotage; belief that foreign vessels would equally continue to employ pilots, *Marwood* 10481–10486——Ample supply of pilots under a voluntary system, especially in bad weather, *Reynolds* 11026–11028——Inducement under a voluntary system for a better class of men to enter the service, *ib.* 11082.

Expectation that voluntary pilotage would probably lead to a reduction in the number of pilots, who would be of a better class and better paid, *Holt* 11089–11094. 11108–11112——Expediency of its being optional in every owner to secure the services of a pilot, whilst the latter should not have the right of refusal, *ib.* 11165–11173——Belief that there would be sufficient pilots to meet the demand under a voluntary system, *H. O. Johnson* 11315. 11318–11321.

Advantage to the better and more industrious class of pilots if pilotage were voluntary, *Beckett* 11588–11590. 11611, 11612. 11617–11621. 11746–11751. 11827–11836——Complaint as to compulsory pilots not being found in bad weather when wanted; grounds for concluding that under optional pilotage, much greater zeal would be shown, *Oates* 12192. 12197. 12201–12210. 12214–12221——Expectation that with optional pilotage efficient men will be fully employed and will make good earnings, *ib.* 12197–12210——Belief that under an optional system there would be a better class of men who would keep the sea more, *Capt. Johnson* 12249–12253. 12286, 12287.

Opinion that if compulsion were abolished pilots would be more efficient, and would be found farther at sea in bad weather, *Robinson* 12754–12756. 12830, 12831. 12845–12847——Belief that there will be as much employment of pilots after the Bill has passed, and that no compensation will be necessary, *ib.* 12799–12806. 12868. 12870.

2. *Evidence in Disapproval:*

Conclusion that there would be no certainty of employment under a non-compulsory system, and that therefore pilots would not incur risk, and would not be always found in bad weather, *Judkins* 2082–2093. 2097–2102. 2126–2129. 2137, 2138. 2194, 2195——Probability of compulsory pilotage not being necessary in many ports, such as the Clyde, though witness strongly advocates it in the Mersey, *Ballantine* 3113–3115.

Conclusion that under an optional system pilots would be less regularly employed, and would not always be found when most wanted, *Danson* 3168–3170. 3217–3226; *Shallcross* 3433. 3440–3445. 3458–3464.

Expectation that the employment of pilots would fall off chiefly in fine weather, if pilotage were optional, *Galloway* 4129–4140——Belief that under the Bill the uncertainty of employment would effect both the number and efficiency of the pilots, *Simpson* 4445, 4446——Grounds for the conclusion that under an optional system vessels would cease to employ pilots in fine weather, and that on the whole the employment would be much less, *ib.* 4516–4533.

Conclusion that under a voluntary system there would not be the same certainty of employment or remuneration, and that the pilots would no longer be of the same efficient class, *Henderson* 4935. 5023–5025. 5050–5062. 5097–5109. 5183–5187——Approval of non-compulsory pilotage round the coast generally, with the exception of Glasgow, Liverpool, Bristol, and Hull, *ib.* 4958–4962. 5028, 5029. 5136——Large experience of witness, without having found the voluntary system really efficient in any place, *ib.* 5201–5204.

Grounds for concluding that many vessels would try to save the pilotage rates under an optional system, *McKelvie* 5427–5435; *Alexander* 5457. 5461–5466——Expectation that efficient pilots would not be forthcoming if their employment were optional, and their remuneration uncertain, *Alexander* 5458–5469. 5486–5489——Belief that under the Bill there would be no longer the same inducement to efficient men to remain in the service, as there would not be the same regular employment, whilst a reduction of numbers would be prejudicial, *Bannister* 5587. 5598–5607. 5619–5622. 5701–5708. 5759–5762; *Brown* 5830–5841. 5849 *et seq.*; *Brewis* 5917–5926. 5989–6005. 6022–6052. 6067–6077.

Grounds for concluding that under a voluntary system many vessels would incur risk by not taking a pilot, *Bannister* 5626–5636. 5679–5689. 5721–5727——Belief that under voluntary pilotage many vessels would try to do without pilots, and that on account of

Report, 1870—*continued.*

VOLUNTARY PILOTAGE—continued

2. *Evidence in Disapproval*—continued.

the uncertainty of remuneration the supply of efficient pilots would greatly fall off, *Brown* 5830-5841. 5849 *et seq.*; *Brewis* 5917-5926. 5989-6005. 6022-6052. 6067-6077.

Expectation that in dangerous weather pilots would not be found when most wanted, if the pilotage were voluntary, *Brown* 5863-5867. 5876-5882——Practice of vessels to take pilots in bad weather, and to endeavour to do without them in fine weather, *Rosser* 7142-7150——Much less employment if the pilotage were not compulsory, *Millen* 7273.

Expectation that if the pilotage were voluntary the pilots would be a less efficient class, and that increased dangers would accrue to shipping, *Taylor* 7933, 7934. 7940 *et seq.* —— Probability, under a voluntary system, of many ships dispensing with pilots in fine weather, and of the uncertainty of employment and reduction of income having a very injurious effect, both as to number and efficiency, *ib.* 7940 *et seq.*——Grounds for the conclusion that the supply of pilots would not be always equal to the demand in bad weather, under an optional system, *ib.* 7947-7965. 8083-8086.

Expectation that if pilotage were not compulsory, the employment and earnings of pilots would decrease, and a less efficient body of men would be the result, *Tozer* 8190, 8191. 8204-8219. 8232-8234——Large reduction expected in the employment and earnings of the pilots, *Daines* 8503-8508. 8536-8550——Belief that if the Bill become law, there will be a great many wrecks in the winter time, and that the pilotage service will no longer be efficient, *ib.* 8502-8506.

3. *Conclusions of the Committee:*

Argument that the greater the freedom of contract and employment, the greater the prospect of satisfaction to employer and employed, *Rep.* xii.

Explanation as to the Committee not having thought it necessary to call for evidence from ports where pilotage is voluntary, *Rep.* xxvi, xxvii——Strong interest of the shipowners in voluntary ports in the abolition of the compulsory system in other ports, *ib.* xxvi —— Great change of opinion in recent years in favour of freedom in pilotage, *ib.* xxvii——Circumstance of many pilots being favourable to freedom in pilotage, *ib.*

Conclusion that pilots will not be less needed or less employed, if compulsion be abolished, *Rep.* xxvii——Much larger measure of freedom advocated by some witnesses than the Bill provides, *ib.*——Efficiency of the supply of pilots in non-compulsory districts, *ib.* xxviii.

Effect of the Bill to place matters in compulsory districts in the same position as matters in non-compulsory districts, *Rep.* xxix.

See also *Accidents. Belfast. Boats. Bristol, and Bristol Channel. Chambers of Commerce. Clyde, The. Compensation. Compulsory Pilotage. Discipline. Dublin. Dundee. Exemptions. Falmouth. France. Free Trade. Hull. Insurance. Legislation. Leith Chamber of Commerce. Liability. Licensed Pilots. Light Dues. Liverpool,* viii. x. *Lloyd's. Local Authorities. Passenger Ships. Queenstown and Cork. Rates. Safety of Life. Salvage. Shipowners. Thames, The. Trinity House. Tugs. Tyne, The. Uniformity.*

W.

Waterford. Frequent want of pilots outside Waterford in bad weather, though the pilotage is compulsory, *Chaddock* 11442-11444.

Watermen (Thames). See *Thames, The,* iv. x.

Watson, William. (Analysis of his Evidence.)—Is managing director of the City of Dublin Steam Packet Company, 10679——Establishment of the company in 1823, it now having twenty steamers running from Dublin to Liverpool, Holyhead, &c., 10680-10683 ——Grievance felt by the company for some years after its formation, in having to pay compulsory pilotage rates at Dublin and Liverpool, 10684-10687——Arrangement made with the Dublin Ballast Board by which, on paying 150 *l.* a year for ten years, towards a superannuation fund, the company was relieved from pilotage charges on the port, 10688-10694.

Very great difficulty experienced by the company in getting its captains examined for pilotage certificates by the Liverpool authorities; examination hereon as to the grounds for this complaint, 10695. 10752-10765——Arrangement by which the company has paid a reduced rate at Liverpool, in consideration of their never employing the pilots of the port, their own captains acting as pilots; complaint as to this payment, which amounts to 400 *l.* a year, no services being rendered in return, 10696-10711. 10766-10772. 10828-10831.

Belief

Report, 1870—*continued.*

Watson, William. (Analysis of his Evidence)—*continued.*

Belief that the over-sea ships into Liverpool will continue to take pilots, if the Bill be passed, whilst it is unjust to force pilots on coasters that do not require them, 10712–10719. 10782–10785. 10876—— Statement showing that the Bill will have a very marked effect in decreasing the use of pilots at Dublin, and that speedy compensation is essential; suggestion hereon that the interval be reduced from two years to six months, 10720–10733. 10786–10798. 10851–10867——Approval of the Bill by the Dublin Docks and Harbour Board, save as regard the compensation clauses, 10720–10722. 10734–10742.

Opinion that the difficulties of the navigation of the Mersey has been grossly exaggerated before the Committee, and that the Thames is a far more difficult navigation, 10743–10746. 10751. 10837–10839——Much more extensive exemptions in Liverpool than in Dublin, 10747–10750—— Invariable employment of certificated captains on the vessels of witness's company going with passengers into Liverpool, 10770–10772—— Statement as to the captains receiving certificates from the Board of Trade on certain conditions without examination, 10773–10781. 10840–10845.

Suggestion that the compensation should be so arranged that the pilots' position should not be worse under the Bill, 10791–10793. 10868–10875——Approval of the superintendent of pilots in Dublin being maintained out of the pilotage fund, 10799, 10800. 10832–10836——Probable advantage if every vessel into Dublin had a licensed pilot, though coasters should not be compelled to take one, 10801–10804——Great improvement by transferring the pilotage of Dublin from the Ballast Board to the Port Board; constitution of the latter adverted to, 10805–10816——Approval of a general Bill dealing with pilotage, rather than of its being left to local authorities to take action in the matter, 10812–10824. 10848–10850.

Webb, William. (Analysis of his Evidence.)—As an Isle of Wight pilot, complains that he is not allowed to take certain steamship companies' vessels for Southampton into the port, being superseded by river pilots selected or privileged for the purpose, 8684–8715. 8730–8732—— Complains also that his employment and earnings would be seriously affected by the Bill, his earnings being very small already, 8716–8732.

Williams, Richard. (Analysis of his Evidence.)—Is a first-class pilot of Liverpool, 13025—— Explanation of the circumstances under which Mr. Beckett and witness were appointed by the Liverpool pilots to give evidence against the Bill, 13026–13045—— Information as to the views expressed by the pilots generally in opposition to the Bill; meetings on the subject adverted to, 13035–13055. 13086–13089.

Examination upon the question whether the pilots who are not boat-owners do not feel it a grievance in having to contribute to the boats, and whether they are not therefore favourable to a Bill as tending to break up the boat-owning system, 13056–13098.

Wood, William. (Analysis of his Evidence.)—Is a free waterman of the Thames, and has for years been engaged in pilotage above Gravesend, but is not eligible for a Trinity House license, 12424–12431——Large number of free watermen disqualified for a license through not having been twelve months at sea, or through being over thirty-five years of age, 12431, 12432. 12526, 12527——Varying earnings of free watermen as pilots, many not making more than 50 *l.* a year, 12433–12435. 12533, 12534——Information as to the liability of witness to be superseded on board by a Trinity House pilot; grounds for complaint on this score, 12436 *et seq.*

Statement as to there being as many accidents where licensed pilots as where free watermen are employed, 12448–12456. 12474, 12475——Desire of the watermen to be allowed to retain the pilotage of coasters, colliers, and ships from the Baltic without undue interference on the part of the licensed men; apprehension as to the effect of the Bill in this respect, 12457–12497——Non-objection to others besides free watermen having the privilege to pilot, if properly qualified; large number of watermen adverted to hereon, 12498–12506. 12516–12523.

Qualifications of the watermen pilots adverted to; witness would not object to the test of an examination, 12507–12515. 12524, 12525——Very low rates of the watermen as compared with those of the licensed pilots; regulation of the charges in the former case by the owners and captains, 12528–12530. 12533, 12534——Expectation that under an entirely free system the licensed men would continue to be employed by the same ships as at present, 12531, 12532.

Y.

Yarmouth Roads. Reduction by the Trinity House of the pilotage in the Yarmouth Roads to a nominal sum, *Farrer* 113——Steps taken by the Trinity House in the matter of the gateway pilotage going through Yarmouth Roads, *Sir F. Arrow* 1414.

INDEX

TO THE

REPORTS

FROM THE

SELECT COMMITTEE

ON THE

PILOTAGE BILL.

Ordered, by The House of Commons, *to be Printed,*
8 *and* 12 *July* 1870.

[*Price* 1*s.*]

343.

Under 10 *oz*

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

THAMES NAVIGATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
30 *May* 1870.

Tuesday, 15*th March*, 1870.

Ordered, That the Thames Navigation Bill be read a second time.

Ordered, That the Bill be referred to a Select Committee of Ten Members, Five to be nominated by the Committee of Selection, and Five by The House.

Ordered, That all Petitions presented during the present Session against the Bill be referred to the Committee, and such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions if they think fit, and Counsel heard in favour of the Bill against the said Petitions.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Tuesday, 22*nd March* 1870.

Committee nominated of—

Mr. Locke.	Mr. Ward Jackson.
Mr. Goldney.	Mr. Ayrton.
Mr. Morley.	

Ordered, That Five be the Quorum of the Committee.

Wednesday, 23*rd March* 1870.

Members added by the Committee of Selection:—

Sir Thomas Bazley.	Mr. O'Neill.
Mr. Thomas Brassey.	Mr. Hanbury-Tracy.
Mr. Meyrick.	

Friday, 27*th May* 1870.

Ordered, That leave be given to the Committee to make a Special Report.

Monday, 30*th May* 1870.

Ordered, That the Committee have power to report the Minutes of Evidence taken before them on the 30th of May to The House.

SPECIAL REPORT - - - - - - - - - - - p. iii
PROCEEDINGS OF THE COMMITTEE - - - - - - p. iv
MINUTES OF EVIDENCE - - - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - - - p. 17

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the THAMES NAVIGATION BILL was referred;——HAVE agreed to the following SPECIAL REPORT:—

YOUR Committee having had before them an Act passed in 1855, "An Act "for the better Local Management of the Metropolis, in which the Metropolitan "Board of Works is directed to make such Sewers and Works as they may "think necessary for preventing all or any of the Sewage within the Metropolis "from flowing or passing into the River Thames in or near the Metropolis;" and the Act passed in 1858 to amend the same; also an Act passed in 1865, "For reclaiming from the Sea certain Lands on and near the Eastern and "South Eastern Coast of Essex, &c., and for utilising the Sewage of North Lon-"don, &c.," specially report, that it appears, on the evidence of Sir John Thwaites, and otherwise, that the Metropolitan Board have repeatedly had under consideration the best means of utilising the sewage of the Metropolis, but that nothing effectual has yet been done, and the sewage still flows into the River Thames; your Committee recommend that immediate attention should be given to the subject, in order that the sewage of the Metropolis should be utilised as far as practicable; and in the meantime, until this can be accomplished, your Committee have deemed it expedient to approve the Bill, which they have reported to the House, for preventing any obstruction to the navigation of the river from the flow of sewage from the metropolitan outfalls.

30 *May* 1870.

PROCEEDINGS OF THE COMMITTEE.

Monday, 30*th May* 1870.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Locke.	Mr. Ward Jackson.
Mr. Brassey.	Sir Thomas Bazley.
Mr. O'Neill.	Mr. Hanbury-Tracy.
Mr. Morley.	Mr. Goldney.

Sir *John Thwaites* examined.

Room cleared.—The Committee deliberated.

SPECIAL REPORT read, as follows:—

"Your Committee having had before them an Act passed in 1855, 'An Act for the better Local Management of the Metropolis, in which the Metropolitan Board of Works is directed to make such Sewers and Works as they may think necessary for preventing all or any of the Sewage within the Metropolis from flowing or passing into the River Thames in or near the Metropolis'; and the Act passed in 1858 to amend the same; also an Act passed in 1865, 'For reclaiming from the Sea certain Lands on and near the Eastern and South Eastern Coast of Essex, &c., and for utilising the Sewage of North London, &c.,' specially report, that it appears, on the evidence of Sir John Thwaites, and otherwise, that the Metropolitan Board have repeatedly had under consideration the best means of utilising the sewage of the Metropolis, but that nothing effectual has yet been done, and the sewage still flows into the River Thames; your Committee recommend that immediate attention should be given to the subject, in order that the sewage of the Metropolis should be utilised as far as practicable; and in the meantime, until this can be accomplished, your Committee have deemed it expedient to approve the Bill, which they have reported to the House, for preventing any obstruction to the navigation of the river from the flow of sewage from the metropolitan outfalls"—and *agreed to.*

Ordered, To Report.

MINUTES OF EVIDENCE.

Monday, 30*th May* 1870.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Ward Jackson.
Sir Thomas Bazley.	Mr. Locke.
Mr. Thomas Brassey.	Mr. Morley.
Mr. Goldney.	Mr. O'Neill.
Mr. Hanbury-Tracy.	

THE RIGHT HONOURABLE ACTON SMEE AYRTON,
IN THE CHAIR.

Sir *John Thwaites*, called in; and Examined.

Sir *J. Thwaites.*
30 May 1870.

1. *Chairman.*] You are Chairman of the Metropolitan Board of Works?—Yes.

2. When was the work for the outfall of the drainage on the north side of the Thames, constructed under the Act relating to the Metropolitan Main Drainage, completed?—I think in 1864.

3. Can you explain generally the scope of that work as regards the arrangements at the outfall itself?—The general principle, of course, was to intercept the sewage at various levels in the metropolis, called the high, the middle, and the low level sewers, and to form a junction at Abbey Mills, discharging by gravitation, to the very utmost extent that we were capable, all the upper part; and, as to the lower part, when it arrived at Abbey Mills, we had to employ a mechanical lift, in order to raise it into a common channel, and discharge by gravitation at Barking.

4. How many miles does it run from the pumping station to the Barking outfall?—I should think five miles from Abbey Mills.

5. In how many channels does it run?—In three.

6. And at Barking it is poured into tanks?—It is poured into a reservoir, and then discharged at or near high water, so that it passes down 12 miles by the first tide.

7. It is allowed, is it not, to run out of the tanks from high water to low water?—Just as the tide is ebbing.

8. Then the reservoir is shut up during the flood tide?—Yes.

9. Does the sewage fill the reservoir?—Not usually, except in the case of a large quantity of storm water.

10. At present you have only two main drains emptying into Abbey Mills: the lower main drain is not complete, is it?—A very small section of what is called the low level in connection with the Thames Embankment is not yet completed. We have been delayed somewhat by the Railway Company, and that will very shortly be completed.

11. At present, in consequence of that break, all the low level sewage above the Thames Embankment goes into the Thames?—Yes; from a small area.

12. Mr. *W. Jackson.*] West of the Tower?—Yes.

13. *Chairman.*] West of Blackfriars-bridge?—Yes; but if you consider the area, you will perceive that the northern district is very much higher, and it

Sir *J. Thwaites.*
30 May 1870.

gradually falls towards the Thames; our great object was to secure as large an area as possible, of which the surface drainage should discharge by gravitation without a mechanical lift, as that is very expensive; and it is only the very small portion coming from the lower level, which, when it arrived at Abbey Mills, would be at such a depth that it could not be discharged by gravitation, but must be raised by a mechanical lift.

14. Do you know at what rate the sewage flows through the conduit to the outfall?—Perhaps two and a half miles per hour; something like that; it differs somewhat.

15. During that flow, does it carry with it everything, or is anything deposited?—It carries with it everything.

16. Is anything deposited in the main culverts?—In distinction from the old system of sewage, we have a series of catch pits in connection with the inlets from the streets, into which the detritus of the streets is washed. All our newly formed gratings and gullyholes have a pocket or catch pit; we catch as much as we can in those pockets, and lift it there, instead of its finding its way into the sewer, from which it would have to be lifted at a much increased cost.

17. Can you give us an idea of how much is taken out of all the catch pits?—I am unable to say.

18. Mr. *Ward Jackson.*] What is done with the deposit out of the catch pits?—It is carted away; it is an innocent deposit; there is no sewage mixed with it at all; it is simply the detritus from the roads washed into the gully, and then it falls into the pocket.

19. Mr. *Locke.*] Where is the catch pit; at the bottom?—In the gully at the bottom.

20. Mr. *Ward Jackson.*] What is the depth generally of the catch pits?—I should think about three feet; it depends upon the inclination. If they have to catch a large portion of detritus then they are increased in capacity.

21. *Chairman.*] Is there any solid matter deposited in the main culverts, leading from the Abbey Mills to the outfall at Barking?—I think very little.

22. Mr. *Ward Jackson.*] They are all circular pipes?—Brick culverts.

23. About 10 feet in diameter?—Yes, they vary; I think that the three are nine feet by nine feet in section.

24. *Chairman.*] Have you any record now of the quantity of sewage poured out between the tides?—I have not, but we can supply that.

25. Is a record kept?—It is returned every week in the Registrar General's Report, so that there would be no difficulty in supplying it.

26. On the southern side of the Thames, how far does the sewage go by gravitation?—On the southern side we take Brixton, Dulwich, and part of Camberwell and all the higher portions of the district by gravitation to Crossness. All the lower part connected with Bermondsey, and Southwark, and Lambeth, and Battersea, is what is called the low level, and is taken to Deptford by gravitation and then lifted into a higher tank, and has to pass off from there, and then has to be lifted again at the other end at Crossness.

27. Then it is discharged by pumping at Crossness?—It is pumped into a reservoir, and then discharged from that into the river at high water, so that it may pass 12 miles down the river at the same tide. And the reservoirs are generally of a capacity equal to the period of the tide; that is to say, when you have to lock up and not discharge, the reservoir is sufficient to hold it.

28. The reservoirs on both sides are sufficient to hold the sewage except in cases of storm?—Yes; and we have storm outlets at the upper part of the river, and immediately that the storm water masters the capacity of our tanks, then we let it out into the Thames at different parts, because it would be physically impossible to form channels to carry off the whole of the rain fall.

29. In the same way there is a registration of the discharge of sewage at Crossness, I suppose?—Yes.

30. When first, after the completion of the northern outfall, did the Metropolitan Board consider the expediency of utilising the sewage that was flowing by that outfall into the Thames?—Long prior to the completion of our main drainage the attention of the Board was directed to the utilisation of the sewage; not on the principle of saving the river from pollution, because we never dreamt then, nor do we dream now, that any evil consequences would arise from the discharge of the sewage, first because the sewage itself is mixed with

Sir *J. Thwaites.*

30 May 1870.

with 94 or 95 per cent. of water, and secondly because it is discharged into 400 times its volume, and therefore no mischief can arise. But our attention was mainly directed to it in the interests of the public ratepayers. It was alleged, and it had been alleged for years, that the sewage of the metropolis had a very great value, and probably there is no question on which more nonsense has been talked or written than the sewage question, some alleging that it has no value, which is perfectly inconsistent with the facts, and others alleging that the value of the sewage of the metropolis was something like 2,000,000 *l.* sterling per annum. I need hardly say that there is a mean between those two ideas. On the 20th of January 1860, just as we commenced, or a twelvemonth after we had commenced, the construction of the main drainage works, the Board had a Report from the Main Drainage Committee on the subject. The attention of the Board had been directed seriously to the question of the utilisation of the sewage. Of course it is not a desirable thing to discharge sewage into any river, and the Board thought first that it would be desirable that it should, if possible, be utilised on the land as a reproductive element, which in this country is so much needed; and secondly, that if it were of the value, or one-sixteenth of the value that was alleged, the public ratepayers would realise some advantage in relief of their rates; and that, having constructed these large culverts at a cost of between four and five millions, we should have some return from the application of sewage, if profitable, to land. Hence the attention of the Board was called to that subject. And I think it rather desirable to show that it was, because much has been said as to the action of the Board with regard to this matter, as if the Board were not sincerely desirous of developing that which will become ultimately a very great national question, and is now, in point of fact, because although the metropolis is happily situated on a river into which it can discharge its sewage without injury to public health, there are scores of large towns in the country that have no such advantage, and which therefore must, in some form or other, deal with their sewage. Therefore it becomes not only a large metropolitan question, but a large national question. In 1860 the Main Drainage Committee (a Committee on whom the Board conferred power to negotiate, and arrange, and carry out practically, reporting to the Board for its approval from time to time, all matters connected with the main drainage) submitted to the Board (and it was then we first commenced officially to deal with the question of the utilisation of sewage) a Report with reference to a proposal that we then had from the London Sewage Utilisation Company; and the Committee will observe, as I am passing through these Reports, reciting what the Board has done, and supplying the Committee with official documents with regard to the proposals, that the Board did, from time to time, receive a variety of proposals, most impracticable in their character, scarcely containing the outline of a proposal, but some wild scheme or other, to the effect that they were prepared by some chemical process to deal with the sewage, and to apply it to land, and to make it yield such and such a profit. Therefore our path has been somewhat perplexed for the want of definite business-like propositions for a certain rental, a certain payment to the Board in relief of the rates. There was a communication, the particulars of which I will hand in, from the London Sewage Utilisation Company, and in 1860, on the 20th June in that year, we had a Report from the Main Drainage Committee in reference to it.

31. Mr. *Ward Jackson.*] Was that before any steps were taken to remove the sewage from the Thames near the Houses of Parliament to Barking?—Yes; it was long before there was any interception at all of the sewage; we were just commencing our high level sewer at that time.

32. You had determined, in fact, on the removal at that time?—We had determined on it. You are aware that the First Commissioner of Works had a veto upon all our plans. The Act of 1855 came into operation on the 1st of January 1856. A long conference took place about that time with the First Commissioner, Sir Benjamin Hall, in fact, several conferences. We proposed three distinct plans for the main drainage of the metropolis, all of which he objected to. He ultimately called to his assistance three eminent engineers, and proposed a plan of his own, and submitted it to us. The cost of our plan was something under 4,000,000 *l.* With regard to the plan proposed by the referees, those three gentlemen appointed by Sir Benjamin Hall, we had the

Sir *J. Thwaites.*

30 May 1870.

quantities taken out and an estimate made of the cost, and it was between 10,000,000 *l.* and 11,000,000 *l.* We have since carried out an efficient system of main drainage for 4,200,000 *l.* So much for the action of a representative body, as compared with a central authority which was then alleged to be all important. The three gentlemen were Captain Galton, Mr. Simpson, and Mr. Blackwell. Independently of the enormous cost of this scheme of the referees, it involved a most objectionable feature, that is to say, for miles we literally had a river of sewage; instead of its being covered culverts, we had an open cutting of an immense width, and 10 or 12 feet deep; the sewage of the metropolis went through that culvert under every possible temperature, and, of course, decomposition, as we know, commences in about 24 hours if you have a certain temperature, and it must have poisoned the whole metropolis; and therefore that of itself, apart from the cost, would have been destructive of the system.

33. Was that culvert to take the sewage to a greater distance than Barking?—It was to take it to Higham Creek.

34. On the northern side it would be opposite Gravesend?—At Thames Haven. I ought to say that Parliament relieved us from these vetoes; we came to a dead lock, and the system was exposed, and it was manifestly clear to the public that it never could be adopted, and that this double working could never act. Therefore, in that hot summer of 1858, when the condition of the Thames was perfectly frightful in front of these Houses (in fact, the windows were obliged to be closed, and it was a very serious thing), the Government of the day, Lord Derby's Government, took it up, and the then Chancellor of the Exchequer, Mr. Disraeli, brought in a Bill repealing all these vetoes, setting the Board free, in point of fact, and in less than a month from the passing of the Act, we had completed our plan, and directed advertisements to be issued. That was in the latter part of 1858, and in 1859 the works were commenced, and in 1860 we investigated this question of the utilisation of sewage.

35. *Chairman.*] Will you go on to state what steps you took for the utilisation of sewage?—After considering the proposition of the London Sewage Utilisation Company, on the 27th of April 1860, the Board adopted a form of advertisement; and the form of advertisement was, I need hardly say, a rather important document, because, under the Act of 1858, we were bound not to commit a nuisance, and therefore it was very important that we should have such a form of advertisement that all parties tendering should tender for a scheme which could not result in creating a nuisance in any part of the district. In July of the same year tenders were sent in, four in number, namely, from the London Sewage Utilisation Company (the same company to which I have referred), Mr. John James Moore, Mr. George Shepherd, and Mr. Kirkman. These tenders were referred to the Main Drainage Committee, as was also a proposition from Mr. Thomas Ellis, which was laid before the Board on the 22nd of March 1861. The Committee reported to the Board on these several tenders, and stated that they had also had before them a tender from Messrs. Napier and Hope, for the dry weather sewage of the northern area of the metropolis, which they recommended to the favourable consideration of the Board. That was certainly the most business-like proposition that we had before us at the time. On the 10th of January 1862 the Board agreed to the principle of a concession to Messrs. Napier and Hope, provided they obtained a grant from the Crown and Parliamentary authority in the ensuing Session. On the 14th of February 1862 the attention of the Board was called, on proceeding to consider further the Report of the Committee as to the concession to Messrs. Napier and Hope, to a notice of motion given in the House of Commons by Dr. Brady, for a Select Committee to inquire into the best means of utilising the sewage of the cities and towns of England, and it was resolved that the further consideration of the Committee's Report should be adjourned until the Parliamentary Committee had reported. We felt that, as an inquiry instituted by this House, with power to call witnesses, would necessarily receive a vast amount of valuable consideration, it was wise on our part not to give up the interests of the ratepayers until we had seen what the result of that evidence was, and whether any new light would be thrown on the whole question. On the 27th of February of the following year the Board determined to issue fresh advertisements for tenders, and the form was approved by the Board, the tenders to be received on the 8th of May. Then on the 8th of May an extension of time was made. Some parties

parties complained that they had not had a sufficient time to survey the area for the application of the sewage, and they asked for an extension of time, and the Board granted it. On the 10th of July eight tenders were received from Mr. C. F. Kirkman, Mr. D. Curwood, Lord Torrington, Sir Charles Fox, and Mr. Hunt, Messrs. Napier and Hope, Dr. Thudicum, the London Sewage Utilisation Company, Mr. Thomas Ellis, Mr. J. J. Moore, and they were referred to the Main Drainage Committee for the purpose of examination. The Committee reported on the several tenders, and stated that none of them fully complied with the terms of the advertisement, and that three of them made no proposal in the nature of a tender. The tenders were ordered to be printed and sent to the vestries and district boards of the metropolis. I have a printed form of tender which I will hand in. On the 1st of December 1863, a special board was convened to consider the tenders, when they were again referred to the Committee to obtain detailed information, and to confer with the several parties, and to consider generally as to the utilisation of the sewage. On the 23rd of September 1864, the Board referred it to the Committee to arrange for an inspection by the Board of the sewage works at Croydon and Rugby; and on the 7th of October following they were instructed to arrange for an inspection of the works at Edinburgh and Carlisle. The Board felt that this question was a very large one, and that it was very desirable that we should have the best practical information; and therefore the Board did visit Croydon and Rugby, and Carlisle and Edinburgh, for the purpose of satisfying their minds as to the possibility of practically applying the sewage, and with what result it could be applied. The Committee so inspecting the several works made a Report, which I shall also hand in. On the 28th of October the Board ordered advertisements to be issued stating that they would be prepared on the 15th November following, to receive further communications as to the tenders for sewage. On the 15th of November a special board was held, and communications were presented from the vestry of St. Mary, Islington, and the Corporation of London, sending certain statements, and also the report of the Committee on the application of sewage at Rugby, Croydon, Carlisle, and Edinburgh. The Committee also presented a further report on the tenders, giving the results of interviews with the several parties, and recommending the scheme of Messrs. Napier and Hope for the north side of the Thames for approval. Time was requested for considering as to the southern sewage. The Board concurred with the Committee, and approved Messrs. Napier and Hope's scheme, and referred it back for negotiations as to the precise terms. The scheme itself was scheduled to the Act obtained by the Company.

36. Mr. *Goldney.*] When was the Act obtained?—In 1865. On the 24th of February 1865, the Committee reported, and submitted draft of agreement between the Board and Messrs. Napier and Hope, which was approved, ratified, and confirmed. A copy of the Metropolis Sewage and Essex Reclamation Bill was also presented. On the 21st of April 1865, the Board approved a form of license to the Sewage Utilisation and Essex Reclamation Company for applying sewage to certain pieces of land adjoining the Northern Outfall Sewer. It was felt on the part of the Company that it was very desirable, in order to float their shares and the scheme generally, that they should have some nearer point to which they could apply the sewage, and show to the metropolitan and other public that they could apply it usefully, especially that they could apply it with advantage on part of the Maplin Sands. You are aware that they proposed to carry their culverts down to Foulness on the Essex coast, and to apply over the larger part of it such sewage as should not be taken by the farmers right and left in its passage through Essex; that it should be poured on that sand, the effluent water passing off into the sea; and an arrangement was therefore made that they should bring up a quantity of this sand, and deposit it on a portion of land near the Barking outfall at a certain depth, and apply the sewage to it, proving that all that was required for certain crops was a simple mechanical stay for the root while it was being fed by the sewage; and we had samples of wheat and other crops from it which were very successful, I must say; and we granted a license to this Company for the purpose of testing the application of sewage at that point.

37. Was it a license to use it on the land?—On our land.

38. Mr. *Ward Jackson.*] Close to the works?—Yes.

39. *Chairman.*] Did the contract finally settled with the Essex Reclamation

Sir *J. Thwaites.*
30 May 1870.

Company provide that they should deposit with you a sum of 25,000 *l.* as guarantee for the execution of their works?—It did, and in Article 14 of the agreement it was provided that, in case the concessionaries fail to complete the main culverts within four years from the passing of an Act authorising the making of the same, the said sum of 25,000 *l.* shall be absolutely forfeited to, and become the property of, the Board."

40. The contract with the Board was to complete in four years the main culverts?—Yes.

41. And in Article 15 there is a certain relief, is there not, in the contract; the Secretary of State may afford a certain amount of relief in case they fail?—Yes.

42. He may determine "at what time, and on what terms, with respect to the purchase or not by the Board, of the works, property, and undertaking of the concessionaries, such forfeiture" shall take place; so that if you did determine to forfeit he was enabled to put upon you certain obligations, if he thought fit, in the interests of the Company?—Yes.

43. The main culvert as defined by your contract was to go from your outfall to the Maplin Sands, was it not?—Yes.

44. And the Company was to raise the capital that was necessary for the undertaking, was it not?—Yes.

45. They were to have a right to use the sewage for 50 years?—Yes.

46. And they were, by way of remuneration to the metropolis, to allow you a certain proportion of the profits which they might derive from the undertaking?—Yes; there is first a reserved dividend; I think it is of 5 per cent., and then the profits are to be divided according to a schedule, the scale being fixed; Article 24 is the article which fixes the scale.

47. This concession with the Bill was referred to a Select Committee of this House?—Yes.

48. Composed partly of selected Members, and partly of Members nominated?—Yes; it was a very hard fought Bill.

49. It was referred not to an ordinary Private Bill Committee, but to a public Committee?—I think it was a Committee of 15, if I remember rightly.

50. Then the Committee reported in favour of the Bill, did they not?—Yes.

51. And then the subject came under the consideration of the House on their report?—Yes.

52. On referring to the Bill as passed by the House of Commons, and now forming the Act of 1865, we find that the concession which you had granted was altered in a material particular, was it not, because in Clause 115 it is provided that the agreement recited between the Metropolitan Board of Works and Messrs. Napier and Hope is "hereby confirmed and ratified, except so far as the provisions thereof may be varied by this Act"?—Yes.

53. And then if you go on to Clause 116 you will see, "Article 15 of the said agreement, scheduled to this Act, is hereby annulled"?—Yes.

54. "And if the main culverts are not completed in the manner defined in Article 8 of the said agreement, within the time prescribed in that behalf by this Act, then notwithstanding anything in the said agreement, or in this Act, the concession made by the said agreement shall at the expiration of that time absolutely cease and determine"?—Yes.

55. "And Article 25 of the said agreement scheduled to this Act is altered by extending the power of the Board to inspect the vouchers to the books of account therein mentioned"?—Yes.

56. So that you see that Parliament altered your contract, and it absolutely annulled the agreement at the time fixed by the Act, and deprived the proposed Company of all claims whatever upon the Board or the ratepayers if they failed?—Yes.

57. Then in another clause of the Act, Parliament fixed the period for the concession at 10 years instead of four?—Yes, that is in the subsequent Act; the 8th section of the Act of 1866.

58. But in this Act there is a period fixed; Section 100 provides that the conduits shall be completed within 10 years from the passing of this Act, and on the expiration of that period the powers by this Act, or the Acts incorporated herewith

herewith granted to the Company, shall cease to be exercised, except as to so much of the said conduits as shall then be executed?—Yes. Sir *J. Thwaites.*

30 May 1870.

59. Then, by this Act, Parliament taking the matter out of the hands of the Metropolitan Board has altered this contract, extended the time from four to 10 years, and deprived the Company of any claim on the ratepayers in case of their failure; is that so?—Yes; but throughout these agreements and discussions it was always understood that the ratepayers should be held harmless from any failure that might arise.

60. By the Act of 1865 the Secretary of State was deprived of all power even of imposing any liability under the contract upon the ratepayers?—Clearly.

61. Then, this Act being passed, was the 25,000 *l.* deposited with you?—Yes, and we now hold it.

62. How long after the Act was passed was the money deposited?—I think it was on the 22nd of December 1865 that the deposit was made by the Company.

63. By the Act of 1865 also was a period granted of 14 years to complete the works on the Maplin Sands?—I am not quite sure as to the period; the deposit was made on the 22nd of December 1865.

64. Then, you say a further Act was passed in the next year?—Yes, in 1866; the 8th section of that Act extended the period.

65. What is Section 8?—Section 8 is this: "The conduit shall be completed within 10 years from the passing of this Act, and on the expiration of that period the powers of this Act granted to the Company for executing the conduit or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed."

66. Before that Act was passed, had the Company been established for the purpose of carrying out the previous Act; and is there any recital to that effect in that Act?—Yes.

67. In 1866 the Company had been completely established for the purpose of carrying out the Act of 1865?—Yes; and had paid their deposit.

68. Then, it would seem that they wished to make some alteration in the direction of the conduit?—Yes; and to have an extension of time.

69. This Act of 1866 allowed them to change, to some extent, the direction of the main conduit to the Foulness and other Sands, with powers for irrigation; and it is recited, that it is "expedient that the Company should be authorised to make a new conduit in lieu of certain parts of the said main conduit and Foulness Conduit." That seems to have been the object of passing this Act of 1866, to make a new conduit in lieu of the parts of the old conduit?—Yes.

70. Under the first Act you had power to appoint a person to inspect the accounts of the Company, had you not?—We had.

71. Therefore you have since then had complete access to the accounts and books of the Company?—Yes, and I hold a report of our accountant in my hand.

72. First, will you tell us what the Company has done in the way of works since the Act was passed?—I believe, as far as we can gather, there is considerable mystery as to where the money has gone to, because even in the accounts it is difficult to find who has had it. Their accounts, as far as we can judge, show expenditure of something like half a million.

73. What was its capital under the Act?—Two millions, I think.

74. Have you got any prospectus which will show what the Company proposed it to be?—Yes, this is the prospectus of the Company (*handing it in*). *Vide* Appendix.

75. Have you got the original prospectus?—No, we have not; 2,100 000 *l.* was the nominal capital on the establishment of the Company.

76. And did they invite applications for shares?—I suppose they did.

77. What was the first account which they re-entered on the 10th of August 1866?—It is an account up to the 30th of June 1866. (*The same was handed in.*) *Vide* Appendix.

78. In the Act of Parliament, there was a provision, was there not, that the persons who had obtained the concession should receive from any company established such a sum as Mr. Laing should fix?—I do not remember any such provision.

Sir *J. Thwaites.*

30 May 1870.

79. Mr. *Goldney.*] Section 115 of the Act of 1865, says, "The agreement hereinbefore recited between the Metropolitan Board of Works and Messieurs Napier and Hope, and which bears date the 24th day of February 1865 (a copy of which is inserted in the Schedule C. to this Act), is hereby confirmed and ratified, except so far as the provisions thereof may be varied by this Act, and the same, with all the benefits of the sewage thereby granted, and all other rights, privileges, benefits, and emoluments conferred thereby, or in any way resulting or to accrue therefrom, is hereby transferred to the Company; and all the obligations and engagements undertaken by such agreement, or consequent upon carrying the same into effect, are also hereby transferred from the said Messieurs Napier and Hope to the Company, so as to substitute the Company in all respects for the said Messieurs Napier and Hope; and the Company shall, in respect to and in consideration of the transfer of the said contract so hereby made, enter into a contract with the said Messieurs Napier and Hope, upon such terms and conditions, as well with respect to the consideration for such transfer, as for indemnifying the said Messieurs Napier and Hope, and in all other respects, as may be agreed upon between the said Company and the said Messieurs Napier and Hope, or, in default of agreement, as shall be settled and determined by Samuel Laing, Esq., or, him failing, by some person nominated, upon the request of either of the parties, by the Board of Trade, and the Company thereupon may and shall carry into effect such contract, and be subject to all the obligations incident thereto; and the consideration, whether agreed or settled by reference as above mentioned, may be either a sum in gross, or a fixed or fluctuating annual payment, or a per-centage upon the divisible profit, or partly in one and partly in any or either of those ways, and the referee shall have power to, and if required shall, determine in which of those ways the consideration is to be made, and the Company may apply a sufficient part of their capital or revenue (as the case may be) for that purpose." Did Mr. Laing take any reference, or make any order upon that?—I am not aware that he did; it is a matter quite apart from us.

80. You mean beyond what you have learnt from the accounts which your auditor had a right of inspecting?—Yes; as far as we can gather from the accounts, although there appears to be an expenditure of half a million sterling, they do not show for structural works more than about 75,000 *l.* to 80,000 *l.*

81. *Chairman.*] What are these structural works?—The culverts, and means of taking the sewage down to Foulness, and other works of that character.

82. Part of the undertaking authorised?—Yes.

83. And including an acre of experimental land?—Yes; that is a very small affair.

84. They had an experimental farm also?—Yes; I do not think that the experimental farm is a part of the Company's undertaking.

85. Have they not constructed works to put the sewage on the experimental farm?—They have constructed very small works indeed; it is a very short distance indeed from the culvert that they have constructed them.

86. There are works in connection with the permanent works to go towards Foulness?—Yes; they commence from our main culvert; they tap it at a certain point, and proceed eastwards towards Foulness.

87. How much length of drain have they made?—I have not the particulars now; but what we complain of is this: of course, we naturally supposed that there would be certain preliminary expenses connected with obtaining the Act, and a variety of matters of that kind; still that we had a right to expect that the larger portion of the capital so raised under the Act should be applied to the purpose of conveying the sewage to the point, or as near to the point as possible; and it is a matter of grievance with us that a company should profess to undertake this with high sounding expectations, so far as their prospectus and public statements were concerned, that great profits would be realised, and that they should expend this enormous sum, and yet really and practically, expend but 70,000 *l.* or 80,000*l.* for structural works; because it re-acts upon us, for we have yet to let the southern sewage, and we have been obliged to postpone taking immediate action for letting the southern sewage, in consequence of the collapse of this company. People say, "Here is the Essex Reclamation Company, with a large capital, and they have failed to make it answer;" and that is the popular impression still existing at this moment; whereas

whereas if the 500,000 *l.*, or a reasonable proportion of that sum, had been expended on structural works, they would have got down into Essex and have been able, right and left, to have served the farmers, and we should have had a different result.

88. Mr. *Locke.*] What have they done with the money?—I will put in the report of our accountant.

89. *Chairman.*] You will observe in the original account, which was presented in 1866, the capital is entered as being taken up to the extent of 2,050,000 *l.*, and 2 *l.* only has been paid on each share of 10 *l.*, that is one-fifth only has been paid up?—The result of the examination by our accountant up to 31st March 1869 is this, "To capital paid up on 27,450 registered shares, including 5,000 shares fully paid for concession, 128,900 *l.*; on 182,550 shares not registered, 2 *l.* per share, less 30 *l.* in arrear, 365,070 *l.* To interest received, 12,131 *l.* 12 *s.* 11 *d.*; to receipts for sewage, 83 *l.* 19 *s.* 2 *d.*; to rents, 26 *l.* 6 *s.* 6 *d.*;" making 506,211 *l.* 18 *s.* 7 *d.* professed receipts.

90. What do you understand by "shares not registered"?—I do not know; I suppose it is a marketable thing that goes from hand to hand.

91. If there are 182,550 shares on which 2 *l.* only has been paid up; what is the reason why the rest of the capital has not been paid up?—That I must leave to the Company to explain. I simply give an unvarnished account of what I find in their books.

92. Mr. *Goldney.*] I see that under article 25 that you have very full power for your accountants to go into the accounts, and "to inspect and examine all the books of account of the concessionaries, and to make such copies thereof or extracts therefrom as they think fit, without payment"?—Yes.

93. Mr. *Ward Jackson.*] It would appear that up to the 30th of June 1866, the greatest amount of the capital stated to have been raised, had been expended in Parliamentary and legal expenses, engineering and surveying, and in payments on account of contract?—Yes.

94. That is brought forward in June 1867, and it is in that account that you find the 75,000 *l.* that you refer to, as paid on account of contract, &c.?—Yes; the contractor has received no more than the 70 000 *l.* or 80,000 *l.*, but I believe that he received 30,000 *l.* to give up the contract, and of course there are no structural works represented by that 30,000 *l.*

95. Mr. *Goldney.*] The result of your auditors' account, as you understand it is this, that the sum of 500,000 *l.*, in round figures, is charged as against the company, but that the expenditure for structural works does not amount to more than 77,000 *l.*?—Yes.

96. *Chairman.*] And all the rest has gone in the general incidents of a Joint Stock Company?—Which we say, if applied to legitimate purposes by the company, would have developed the principle of the utilisation of sewage greatly to our advantage.

97. Have you received any explanation why the rest of the capital of the company has not been paid up, and why the works have not gone on?—We have received no information, except the want of ability to go on further with the works, as evidenced by their desire to get rid of the contractor by paying him 35,000 *l.* to give up his contract.

98. Has your accountant been able to discover whether the general public ever subscribed any shares to this undertaking?—I think from conversation which I have had with him, that it has been mainly in the hands of a few people.

99. Mr. *Ward Jackson.*] What was the amount of the contract for the cancelling of which 35,000 *l.* was given?—£. 1,800,000.

100. Mr. *Locke.*] Is there no book with the names of all the shareholders?—I suppose that there would be a book.

101. But the Metropolitan Board of Works are entitled to examine it, are they not?—I think we are; it is quite clear that they have refused to give our accountant admission to see this particular agreement with the International Financial Society, which was a very important agreement, because it involved an expenditure of 200,000 *l.*

102. *Chairman.*] Do you know whether it is a fact that the public applied very largely for shares in this concern, and that the directors refused to allot any shares to the public?—I do not.

Sir *J. Thwaites.*

30 May 1870.

103. At present no works are being carried on by the Company?—No works except this farm.

104. And nothing is being done in fact?—Nothing is being done so far as the structural works are concerned, and we feel as a Board in very great perplexity, because Parliament has extended the period, and that stops our path at this moment, preventing the Board from taking immediate action to put an end to this agreement. The forfeiture of the 25,000 *l.* will take place in July.

105. How do you make that out?—Under the agreement.

106. Is it not at the end of 10 years, as modified by the original Act?—No, it applies to certain culverts; we are so advised by our solicitor; if we were free from these engagements we should take steps immediately to obtain other tenderers and relet the sewage, because no one can be so much interested as the representatives of the metropolis in getting rid of the sewage instead of discharging it into the river; in other words wasting it.

107. Has not Parliament tied up your hands for 10 years?—Yes.

108. There are five years to run of that period?—Yes.

109. It is competent to the company if it can resuscitate itself and find capital, to carry out its original design during the next five years?—Yes; but the evil to us is this, that we are stopped from letting our southern sewage.

110. As regards the Metropolitan Board, Parliament has tied up its hands for five years to come?—That is so; rather more than five.

111. Now, with regard to the southern outfall; what steps have been taken to utilize the sewage of the southern outfall?—In April 1865 the Board referred the general question of the utilization of the southern sewage to a Committee, and advertisements were issued inviting tenders, and we received tenders from Mr. Wason, Mr. Shepherd, Mr. Kirkman, Mr. Smith, and Mr. Thomas Ellis, which were referred to the Committee for consideration and report; the engineer was also instructed to report to the Committee on them. I have the printed report of the engineer, and those tenders also, which I will put in for the information of the Committee. On the 17th of November 1865, the Committee reported to the Board on the tenders received on the 7th of July for the southern sewage, recommending that of Mr. Ellis for approval. The Board concurred, and referred the matter back to the Committee to negociate details. On the 22nd of December of the same year, the Committee reported the deposit by the Metropolitan Sewage and Essex Reclamation Company of the sum of 25,000 *l.*, to which I have referred. On the 5th of January 1866, the Committee reported to the Board the result of the communications and interviews with Mr. Ellis as to the details of his scheme, to the effect that before Mr. Ellis could apply to Parliament it would be necessary for him to make fresh surveys and prepare other plans and estimates. This report was ordered to be printed for the consideration of the Members, and its consideration was adjourned. On the 16th of February 1866, after discussion of the Report of the Committee, the subject of the proposed concession to Mr. Ellis was referred back to the Committee. On the 26th of October 1866, the Committee reported further as the proposed concession to Mr. Ellis, to the effect that, after repeated interviews, they had no doubt that Mr. Ellis would be unable to proceed to Parliament in the next Session, and recommending the Board to advertise for fresh tenders. The Board agreed with the views of the Committee, and referred it to the Committee to prepare a form of advertisement. On the 2nd of November 1866 the Committee submitted to the Board the form of advertisement, which was approved and ordered to be inserted in the English and Scotch newspapers. I may perhaps just say that we have expended a very large sum in advertising in the English and Scotch newspapers, in order that the greatest publicity might be given to the fact that the Board were desirous of entering into a contract with parties for the utilisation of the sewage. On 1st March 1867 six tenders were received from Messrs. Smith, Kirkman, Moore, Shields, Shepherd, and Ellis. You will observe that these names are repeated from time to time, as really the only parties who submitted tenders. Many of those were in such a form that we were quite unable to deal with them; and they were not tenders from organised companies, but rather tenders from what I might call speculators, who were anxious to obtain the concession in order to sell it to any company that they might be able to make terms with. On the 8th of January 1869 we had a report

Sir *J. Thwaites.*

30 May 1870.

a report of the Committee on Tenders, to the effect that the financial embarrassments consequent on the crisis of 1866 had so adversely influenced commercial schemes, and especially such as present new and comparatively untried features, that they were of opinion that it was advisable for the Board to postpone the question of utilising the southern sewage to a future time. The Board agreed with the views generally expressed by the Committee. Things were in such a condition at that time that it was impossible to raise capital. Then on the 23rd of December 1869 a deputation from the Native Guano Company for what is the A B C process, presented a memorial stating that they would treat for a concession of the southern sewage, which was referred to the Committee. On the 7th of January 1870 the Committee reported to the Board, on a circular from the British Association (referred to them on the 26th of November 1869), requesting the Board to co-operate with them in an investigation as to the uses, &c., of sewage; and on the 28th of the same month the Committee report, in reference to the application of the Native Guano Company, that they think the Board should make an inspection of the Company's works. This was agreed to by the Board, and the Clerk was directed to obtain all the information on the subject possible, to enable the Board more especially to examine the operation of this scheme of the A B C system. We proposed to go down to Leamington or Hastings for the purpose of seeing its operation. It is alleged, as you are aware, by the company, that they have succeeded in fixing the ammonia. They reduce it to a dry powder, which, of course, very much relieves parties from the difficulty of conveying the sewage having in it so large a per-centage of water. It is the bulk of the sewage, which really lessens its value to a great extent; and if they have, as alleged, fixed the ammonia in the dry powder which they offer to the public for sale, they have accomplished a very great chemical fact, and would solve at once the question of the utilization of sewage not only in London but elsewhere, because in that case it could be so dealt with as to be removed from one part of the country to another at a comparatively small cost. But I am very doubtful about that fact that they have so fixed the ammonia. That is really the only fertilising power in the sewage; the mere raking out the heavy matter in mechanical suspension and drying it accomplishes very little, because we had at Leicester a practical experiment. They reduced it to a dry brick, and the farmers living within half-a-mile of the premises objected to take it; thousands of tons were on the premises at the time. They simply detached the heavier matter, and that which was held in solution which was the most valuable portion passed off in the water. We are very anxious to solve this question. We have sent two able chemists to examine into it, and shall have their report, and we shall see how far it is applicable to the sewage of London; and so soon as we have obtained that information we shall take steps, I have no doubt, for the disposal of the southern sewage. But while the northern sewage remains in its present condition, it does very much interfere with our hope of success. I might say, generally, that there is no question in which my colleagues feel a deeper interest than that of the application of sewage. We fondly hoped from the little paragraphs that were constantly circulating in the papers, that the sewage was of such an enormous value that we should be relieved from taxing the ratepayers of the metropolis to a very large extent, and I believe that the public mind was impressed with the same idea; but up to this time we have received no such return, and we have been obliged to tax the ratepayers for the purpose of carrying out our improvements. But so soon as we are released from these obligations which have been imposed upon us by Parliament with regard to the Essex Reclamation Company, we shall take steps to re-let the sewage. I hope when the Committee see the agreement entered into with Messrs. Hope & Napier they will consider that that agreement is marked by care and attention to the interests of the ratepayers: first we give 5 per cent. preference dividend to the shareholders of that company to enable them to raise their capital; then we mutually share, according to the Schedule, in the profits, plus the 5 per cent. thus payable to the shareholders.

112. Mr. *Ward Jackson.*] On the co-operative principle, in fact?—Partly so. And there is one point which I am rather anxious to state to the Committee. With regard to the utilization of sewage generally, of course there are two parties; there are the parties who are anxious to dispose of their sewage either for sanitary reasons without a commercial profit, or at a profit in relief of the

Sir *J. Thwaites.*
30 May 1870.

rates paid by the parties whom they represent; then there are the landed proprietors, who are a very interested body of men in this question. Take, for example, the owners of property in Essex; it will answer the purpose remarkably well of the owners of property in Essex to get the ratepayers of the metropolis into the humour to expend two or three millions of money in making large culverts, and taking manure to every man's farm; but it becomes a question of whether it is an obligation on the part of the ratepayers of large towns that they should enter into such an expenditure which would give so great a practical advantage to the owners of land. Now, I will just illustrate what I mean. Since the Chairman was good enough to intimate to me that I should be required to give evidence upon this point, I sent an officer down to Croydon for the purpose of ascertaining the value of the land to which the sewage is applied at the time when the land was first taken, its progressive value, and its present condition. I have seen the engineer this morning; he was good enough to call upon me, and he told me that they have now something like 320 or 330 acres under the irrigation process, and that they will shortly have between 400 and 500 acres under that process; that the natural value of the land in question at the time when this Company first rented the farm for the purpose of applying the sewage of Croydon to it was 30 *s.* per acre, but that as soon as the owners of the land found that they required it for the purpose of applying the sewage, the land being very well adapted for that purpose, having a natural inclination towards the river, so that they could put the sewage on field A, and it would pass on to field B, and then run off pretty clear water into the river without doing any mischief, they were unable to make terms at less than 4 *l.* per acre. At the time that they took this ground they took it for eight or nine years, and some portion of it for 14 years; there has since that period been a retaking of the whole of the ground, I suppose, for an extended term; they have taken most of the ground at 6 *l.* per acre, rising to 10 *l.* per acre, by reason of giving up an unexpired term. I suppose some little compromise was entered into between them; at all events, it gradually rises from 6 *l.* to 10 *l.* an acre, and the new land, not subject to the prior condition which reduced the price to 6 *l.* has been taken at 10 *l.*, an acre, and is now let to a company, and the thing carried on very successfully. I need hardly say that that single example is a sufficient proof that if sewage were properly applied the value of land would greatly increase. Then it becomes a query whether the ratepayers of this metropolis or the ratepayers of any particular town, should have the whole cost of the mechanical arrangements necessary for the conveyance and distribution of the sewage cast on them, the owners of land, whose property will be greatly increased in value, paying no quantum of that cost.

113. *Chairman.*] In point of fact the landowner in the neighbourhood of Croydon has appropriated to himself the whole of the profit that could be derived from the charges imposed upon the ratepayers of Croydon?—Yes.

114. Mr. *Locke.*] Whereabouts is this land situated at Croydon?—It is going into Croydon on the right, running off to the River Wandle.

115. It is very near Croydon then?—Not far from Croydon.

116. Was any portion of that building land?—I do not know.

117. Sir *T. Bazley.*] Are you aware of the agricultural results of that at Croydon?—I think that it has been very successful at Croydon.

118. What is the nature of the success?—I was informed this morning by the engineer that they have a very fine crop of potatoes. That is a department that I feel more especially interested in, because the production of rye grass is well established; there is no doubt whatever that it can be produced and in enormous quantities; but other crops have not been so successfully managed. He told me this morning that the crop of potatoes is certainly the finest crop in the county, and that is a very important fact if it be so; and they are growing beet and other things.

119. Mr. *Ward Jackson.*] All market-garden produce, I suppose?—Yes; I saw cabbages growing there very successfully, and other produce.

120. Sir *T. Bazley.*] Were there any onions?—Yes.

121. *Chairman.*] Unless the town proceeds with great caution and reserve, the effect is to cast all the expense upon the town, and to put all the profit into the pockets of the adjoining landed proprietors?—It would be so.

122. Are you aware whether it is now considered that, as a general rule, an acre

acre of land is required for every 100 inhabitants for the purpose of sewage irrigation?—Well, that is rather dependent on the mode of application. There are a variety of modes. Some put on a very large quantity, and others think that a moderate dressing is the natural course; it depends on the nature of the soil.

123. You consider it the duty of the Metropolitan Board to protect the ratepayers and the inhabitants of the metropolis from being thrown into such a position as would enable the landed proprietors of Essex to double, treble, or quadruple their rental at the expense of the ratepayers?—Clearly. First of all, we have an outfall which we allege, with great confidence, is unobjectionable. We are further watching and taking very great care for the purpose of securing the profitable application of sewage to land; and we shall therefore protect the interests of the ratepayers, and so soon as we are released from this Essex obligation we shall take other steps.

124. Is not it one of the main principles of the Essex Company that they should stand intermediately between you and the landed proprietors; that they should undertake the expense of the works, and that the landed proprietors should pay a rental for the sewage in return?—Yes.

125. And the surplus after they had done that, they proposed to distribute on land to be acquired for themselves on the sea coast, or on the Maplin Sands?—Yes; and I understood the principle of the scheme to be that they should have one large culvert cutting through the centre of Essex, and that it was the proposition of the parties to tap that culvert at various points at right angles, delivering the sewage to farmers as they might be disposed to take it, and as their principle of cropping would permit them to take it. Then they had this special advantage, that they could throw any quantity of sewage on to this sand, running off without injuring anybody. It is not a question of not using it to-day and keeping it for to-morrow; you must use it every day; you must have an outlet for it. That is the great difficulty, because there are times when you cannot apply it at all to agricultural land.

126. Therefore you must have a system of farming adapted to the irrigation of some field throughout the whole year?—Yes.

127. Mr. *Goldney.*] As regards most pasture land you might use it all the year round, might you not, where there is no question of making hay but only cutting the fodder?—If you applied it to an ordinary pasture, about the second or third year you must lose all your finer plants, and you would simply have a coarse root left. We saw a very striking example of that at Rugby; there was a very fine piece of land where the sewage had been applied, and all the best plants had gone.

128. *Chairman.*] That was an experiment made by the Government, in which they undertook to farm 300 acres of land, and destroyed the land to a large extent?—Yes, it was done by the Board of Health.

129. Mr. *Morley.*] You have spoken of a period of 10 years; in the event of this Essex Reclamation Company utterly failing and suspending its operations, I suppose they consider themselves out of the field really, do not they?—There are legal points about which it would be rather inconvenient for me to express an opinion here perhaps, but we shall take such steps as we can to get released.

130. *Chairman.*] Parliament in the abstract has passed an Act that they shall have 10 years, and subject to any legal power which you may have of cancelling or putting an end to that contract, that is the period during which your powers were suspended in favour of the Company?—Yes.

131. Mr. *T. Brassey.*] Assuming the Essex Reclamation Company to be removed from your path, do you see any reason why the Metropolitan Board of Works should not itself undertake the same kind of operation which the Essex Reclamation Company proposed to carry out?—I do not know about the same kind of operation; of course we should have to consider carefully that point, but I think it preferable as a general principle, if you wish my opinion upon that point, if you can accomplish the same object, that a commercial body should undertake that duty rather than a representative body; failing that, of course we must do the best we could.

132. Is there not some difficulty in a commercial body negociating on terms sufficiently favourable with the Metropolitan Board of Works at the present time, because though the experiments have been numerous, still there have been

Sir *J. Thwaites.*

30 May 1870.

been no corresponding results of the attempts to utilise sewage; and therefore any commercial body appearing before you would have to negociate with you on terms too favourable perhaps, in order to cover the risk of speculation?—Just now there has been an attempt to circulate ideas that it is the duty of the Metropolitan Board to assist these bodies for the purpose of utilizing the sewage, and it has been alleged, in order to strengthen that argument, that the discharge at a certain point is a nuisance, which ought to be removed; but we understand who are who; we know exactly where these paragraphs proceed from, and we know their object. Persons must not be permitted to blow hot and cold at the same time; the very parties circulating these reports are the very parties on the other hand that are holding up the application of sewage as one of the most profitable things you can find in this metropolis or elsewhere; and if it be so profitable, then why not apply it, because there is no difficulty in this country in getting men to invest capital, if they can prove that it is of the value that they allege. But it may suit parties who are desirous of getting a concession, and getting up a company, and securing the interests of that concession, to have the guarantee of a public representative body, and to involve the rates of the metropolis in a semi-commercial concern which ought never to be admitted as a principle.

133. Mr. *Locke.*] Do you think that the plan proposed to be adopted by this Essex Reclamation Company would be the best?—I thought it was a very good scheme as a whole, having the advantage of supplying sewage to the farmers in Essex, right and left, and having the advantage of an outlet, where it is applied to the sands, and thus getting rid of the large quantity which they must take.

134. Then the excess, if I may use the word, or what was over and above that which would be used along the side of the river, would be thrown on that sand?—Yes.

135. And there would be an opportunity of supplying all the farmers down the whole length of it to the sand?—Yes; if the system had been carried out there would have been that advantage.

136. There would have been an outlet from it all the way down to the Maplin Sands?—I should suppose, in the interests of the commercial association, that they would tap it at as many points as possible for the purpose of obtaining the largest amount of customers.

137. However, nothing has been done but the attempt to make one culvert?—Yes; they have been extremely industrious in spending the money.

138. And they have no money now?—I do not know, I am sure.

139. Are you aware whether there have been any calls upon their shareholders?—I am not aware.

140. In point of fact, are they not at a stand-still entirely?—Collapsed, I understand, now.

141. And have been for how long?—For many months.

142. Mr. *O'Neill.*] Might I ask you if you know what system of utilisation of sewage produces the most valuable manure; the irrigation system, such as is pursued at Croydon, or the A B C system, such as is carried on at Leamington and Hastings, supposing that both succeeded?—With regard to the A B C process, as I have already explained to the Committee, if they really have succeeded in fixing the ammonia, the fertilising property of the sewage, then undoubtedly that would be a more convenient system, because you would not be burdened with the bulk, but you could convey it from one place to another without difficulty; but I am very sceptical on that point at present.

143. You do not know whether the result produced at Hastings by the A B C system brings from 4*l.* to 5*l.* an acre?—Yes, I know that; but there is other information which I have obtained which somewhat accounts for that. It requires very close investigation before one pronounces a decided opinion.

144. I do not know whether it comes within the limits of the Committee, and whether they could have that information which qualifies the statements with regard to the various manures under the A B C system?—It is a question of mixing. When they have dried the material, if they mix sulphate of ammonia or other things of that kind with it, then they may make a valuable manure of almost anything; but if it is the result of simple sewage, then of course it answers the whole question that we have to investigate.

145. Mr. *Locke.*] Then it would be a question of expense?—Yes.

146. It

146. It would not be a fair system to take what they might sell it for now; it would not be a paying concern if they had to put that into it?—Clearly not.

147. It is only done as an experiment at the present time, and they do not tell you how much it costs?—We are having that point investigated.

148. It is suggested that there is this put into it to make the thing all right, but that without that it is a question whether it would not be all wrong?—Yes.

149. Mr. *Morley.*] When do you expect to find this process at Leamington ready for your investigation?—I think they are ready, but now we have great pressure of business upon us at present.

150. Some of us are anxious to see that; when would be the right time?—The right time would be when nobody knows anything about it, except the party going; let there be no show day, but let us see actually what is done. It ought to be watched carefully, because if there is any system of mixing, as has been hinted, then that ought to be explained, because the cost of that would of course add to mere filth, and make it a valuable manure, but if it is entirely the results of sewage, then it is an important question to ascertain its fertilising power.

151. Mr. *Ward Jackson.*] As a last resort, supposing a commercial company (which I am inclined to admit with you would be the best plan) not really to be successful in taking the sewage, would it in your mind be desirable for a town to become the purchasers of land for the purpose of utilising the sewage at a cost which would be remunerative to the ratepayers, rather than expend money in pipes alone to convey sewage to an unprofitable undertaking?—That is somewhat dependent on the fact whether the town in question has or has not an outfall. Now London happily has an outfall. If you ask me a question with regard to a provincial town, that is a different matter.

152. I speak of London; assuming that it is desirable to keep the sewage out of the River Thames as much as it can be accomplished, then would it not as a commercial matter be better for the ratepayers to spend their capital on that which would be remunerative, rather than on that which would not be remunerative?—That is assuming that we are not in the condition in which we are; that a necessity for removing the sewage from the river has been made out, which we entirely deny. You may take it for granted that at as early a period as possible when the Board can see its way to dispose of the sewage, even to give it away if necessary for a time to some parties who are prepared to apply it to land, or to dispose of it at a profit to the relief of the rates, we shall do so rather than waste it by throwing it into the river. But if you ask me the abstract question whether it would not be better for a representative corporation to go into the question of taking land, and applying sewage, merely for the purpose of getting rid of it out of the river, I say unhesitatingly, it would not.

153. The sewage as it passed into the Thames previous to 1864, was a nuisance?—It passed into the Thames here into the centre of three millions of people; it was the object of the Act to intercept it from flowing in here where it was oscillating in front of this House and at other places, and that going on at all times of the tide. We intercept it, and discharge it at high water, so that it passes down 12 miles below the point of discharge; and if we had gone lower down we should have faced the sea water, which is the worst element into which you can pass sewage; it does not break up so well in sea water as it does in fresh water.

154. It is a difficult question, and the solution of it may come from the inquiries which you are making whether there is not some good mode of applying the sewage?—We are only too anxious to solve it, and I have a conscientious belief that in a few years we shall find out means of disposing of it not to the disadvantage of the ratepayers.

155. Mr. *Goldney.*] How long is it that the discharge takes place from the outfall; for what period every tide does the discharge take place?—About an hour and three-quarters before to an hour and three-quarters after high water; perhaps two hours at the outside.

156. Do you know whether there is much difference between the character of the early part of the discharge and that of the last part?—I do not know.

157. I mean whether the deposit in the tank is there long enough to keep the heavier particles for the last portion of the discharge, or whether it all goes out in the same state as it flows in?—I should think that the rush would take it pretty fairly mixed.

Sir *J. Thwaites.*

30 May 1870.

158. That is, you do not consider that the lighter particles go off first, and the heavier particles in the last part of the discharge?—I suppose if any portion of the detritus (it cannot be very much) from the catch pits gets in, it would necessarily be the last part to be discharged. The specific gravity of sewage is such that it would not deposit unless it were held down by the detritus.

159. Therefore the detritus would be the last part discharged in the two hours?—Yes.

160. How far would the latter portion go down before it reached the returning tide?—It might be 10 miles.

161. Twelve miles would be the distance that the first part would go?—Yes.

162. Has the question been raised whether Barking is within the metropolis or not; I mean your outfall discharge?—There can be no question on that, because the landmark is fixed.

163. Has the question been raised?—We fixed on that point because it was beyond all question; there was a great deal of discussion on the matter.

164. Has the question been raised whether the existing outfall is within the limits of the metropolis or not?—I never heard it questioned yet.

165. You fixed it because you considered it certainly out of the limits?—Yes.

166. How far is it without the boundary?—A very short distance. There is a small portion of land on the Essex side, which really forms a portion of the county of Kent.

167. What distance beyond the boundary is it, do you suppose?—Very short. I am unable to say at this moment what it is.

168. It is a distance to be measured by yards?—Yes.

169. Under the original agreement the grant of the sewage was for 50 years, was it not?—Yes.

170. If they complete their works, then the 50 years would remain?—Yes.

171. But unless they complete their works within the 10 years, that concession is entirely gone?—Yes.

172. *Chairman.*] Have you taken any precaution in your examination of the works at Leamington to secure the samples, without any possibility of anybody interfering with them?—Dr. Odling and Dr. Miller have been down there for the purpose of examining, and we ought to have their report very shortly.

173. Have you taken precautions, besides sending the doctors to examine the samples, to see that the samples are what they profess to be, samples of the actual materials?—We shall take care, in going down to examine, that we have the process put into operation on the sewage pure and simple. I might state that the Rivers Pollution Commissioners have very carefully gone into the A B C process, and made a very valuable report. (*The Witness handed in Extracts from the Annual Reports of the Board on the Utilisation of the Sewage.*)

Vide Appendix.

APPENDIX.

PAPERS handed in by Sir *John Thwaites*, 30 May 1870.

METROPOLIS SEWAGE AND ESSEX RECLAMATION COMPANY.

(Incorporated by Special Act of Parliament, 28 & 29 Vict. c. 120.)

DIRECTORS.

The Right Hon. the Lord de Tabley, Chairman.

Colonel Sir William Russell, Bart., C.B., M.P., Deputy Chairman.

The Lord Richard Brown.
George Baden Crawley, Esq.
James Pattison Currie, Esq.
Maurice Drummond, Esq.
The Right Hon. the Viscount Gort.
Charles Joseph Lambert, Esq.
Joseph S. Lescher, Esq.
The Hon. Henry W. Petre.
Lachlan Mackintosh Rate, Esq.
J. W. Perry Watlington, Esq.

Second Ordinary General Meeting of Shareholders, to be held at 34, Clement's Lane, Lombard Street, E.C., on Friday, 10th August, 1866, at 2.30 p.m. precisely.

REPORT OF THE DIRECTORS.

THE directors have the pleasure to submit to the shareholders a statement of receipts and expenditure for the year ending 30th June 1866.

The directors, as was explained at the Wharncliffe Meeting, held on the 18th May, applied to Parliament for permission to make certain deviations in the line of the main culvert. The Bill has passed both Houses of Parliament, and, with the sanction of the Metropolitan Board of Works, an extension of one year has been given for the execution of the culvert.

The additional advantages sought to be obtained have consequently been secured to the company.

The directors are happy to state that the tedious and expensive works connected with the junction of the Company's sewer with the Main Outfall Sewer of the Metropolitan Board of Works, the passage across the Barking Marshes, underneath the navigable tributary to the Thames, known as the Barking Creek, the crossing of the Tilbury and Southend Railroad, and the first pumping station at Five Elms, have all been authorised, and the work is being carried forward by the contractor in a very satisfactory manner.

In order to demonstrate the truth of statements made before Parliament and elsewhere, that Maplin sand irrigated by sewage would produce luxuriant crops of grass, the directors caused upwards of 3,000 tons of sand to be brought up in barges from the Maplins, taken from a spot about one and a half miles out to sea, and spread two feet deep over an acre of land at the outfall reservoir at Barking Creek.

The plot was spread in the early part of March last, was sown with Italian rye grass on the 14th April, and was fertilised exclusively with sewage.

The first cutting was made on the 20th June, from a portion of the acre, which was again cut on the 17th July, and the grass, exhibited at the Essex Agricultural Show on that day, representing as it did only 27 days' growth, weighed at the rate of 14 tons an acre. Another portion of the sand plot, which was cut for the first time on the 7th July, weighed at the rate of 16 to 20 tons an acre.

With the further object of proving the value of sewage, the directors have leased a farm near Barking, to which an iron pipe is now being laid in advance of the main culvert, and they hope very shortly to show the Essex farmers, that by laying out a moderate portion of their land for irrigation, they would not only derive a profit from the increase in their stock (which seven or eight annual cuttings of grass will enable them to make), but they would have the opportunity highly and profitably to manure the remainder of their land worked in the ordinary manner.

Appendix.

It is hoped that the example thus set will be immediately followed by the Essex farmers as soon as the works shall have advanced sufficiently to enable the company to supply them with sewage.

In conclusion, the directors congratulate the shareholders on the growing appreciation of the value of sewage, which is proved by the number of provincial towns that are following the example of the Metropolis.

Mr. Guthrie, having retired from the board on the 15th December last, the directors, in the exercise of their power, elected Lord Gort in his place.

The directors retiring at the ensuing meeting, are—The Lord Richard Browne, Mr. James P. Currie, Mr. George Baden Crawley, Mr. Maurice Drummond, who, being eligible, offer themselves for re-election.

The retiring auditor, Mr. Harvey, offers himself for re-election.

Warren De Tabley, Chairman.

Metropolis Sewage and Essex Reclamation Company.

(Incorporated by Special Act of Parliament, 28 & 29 Vict. c. 120.)

STATEMENT of Receipts and Expenditure from commencement to 30th June 1866.

Dr. *Cr.*

Receipts.	£. s. d.	£. s. d.	Expenditure.	£. s. d.	£. s. d.
To Capital:—			By Preliminary, Parliamentary, and Legal Expenses	22,418 17 2	
205,000 Shares 10*l.* each, 2*l.* called up	410,000 – –		„ Engineering and Surveying	15,625 – –	
Less in arrear	30 – –		„ Compensation to South Essex Estuary Company	5,000 – –	
	409,970 – –		„ Amount paid on account of Contract, Land purchases and Compensation	208,010 6 8	
5,000 Shares 10*l.* each, fully paid	50,000 – –				
		459,970 – –	„ Concession (being 5,000 Shares, 10*l.* each, fully paid	50,000 – –	
To Interest		7,129 2 3	„ Interest on Registered Share Capital to 31st December 1865	1,764 19 8	
			„ Directors' Fees	3,441 13 4	
			„ Salaries, Wages, Superintendence, and Travelling Expenses	1,186 11 4	
			„ Rent, Stationery, Advertising, Office Expenses, &c.	502 2 3	
					307,949 10 5
			„ Furniture	– – –	398 1 –
			„ Farm Account:		
			Lodge Farm, for Valuation of Stock, Crops, &c., including Compensation to outgoing Tenant	3,859 11 4	
			Barking Creek Land, and Maplin Sand Experiments	1,248 9 8	
					5,108 1 –
			Balance	– – –	313,455 12 5
			By Cash at Bankers, in hand and on Deposit	128,610 14 2	
			„ Cash with Metropolitan Board of Works	25,000 – –	
			„ Cash—Suspense account, to be received from sundry Debtors	32 15 8	
					153,643 9 10
	£.	467,099 2 3		£.	467,099 2 3

Examined and compared with Ledger and Vouchers, and found correct,

London, July 1866.

Edmund Harvey,
Edward Hughes, } Auditors.

METROPOLITAN BOARD OF WORKS.

REPORT on ACCOUNTS of the METROPOLIS SEWAGE and ESSEX RECLAMATION COMPANY.

(Ordered by the Works, &c., Committee to be printed, 5th July 1869.)

METROPOLIS SEWAGE and ESSEX RECLAMATION COMPANY.

IN obedience to the order of your Honourable Board of the 19th of March last (No. 9), to report "as to the state of the accounts of the Company, and on the references made to the late accountant on the same subject," I beg to state that I have examined the accounts of the Company, and gone through the vouchers under the more important headings since the Company's formation, and I now present a statement of the total receipts and expenditure up to the 31st of March last.

Dealing first with expenditure, I find that the total amounts expended in each year have been as follows:—

	£.	s.	d.
In 1865–66 - - - - - - - - (Including 205,000 *l.* to the International Financial Society.)	313,455	12	5
In 1866–67 - - - - - - - -	101,682	–	10
In 1867–68 - - - - - - - -	52,379	–	2
In 1868 (three quarters to 31st March 1869) -	11,899	14	2
Total - - - £.	479,416	7	7

The principal items of expenditure calling for remark in the present report are as follows:—

1. *A Payment to the International Financial Society of* 205,000 *l.*—Not having had access to the contract upon which this payment was made, I cannot state its exact conditions, but I have learned that the facts are as follows:—

The International Financial Society agreed to float the Sewage Company, finding all necessary money, and their remuneration was to consist of a commission upon the amount of Webster's contract. But, instead of the commission being paid on sums actually paid to Webster, a large portion of the total commission, viz., the sum of 205,000 *l.*, was issued to the International Financial Society in advance. Whether the fact of Webster having been paid only 113,276 *l.*, instead of 1,853,448 *l.*, as at first contemplated, affects the amount of commission payable to the International Financial Society under their agreement, I cannot, of course, say, not having been allowed a perusal of the agreement.

2. *Payments to Webster* on account of his contract for culvert and pumping stations. The contract, as stated in the Company's prospectus, was for 1,853,448 *l.*, but the total sum paid has only amounted to 113,276 *l.*, and this sum includes 35,650 *l.* paid in April 1868, when the contract was cancelled. The amounts paid in each quarter were as follows:—

	£.	s.	d.
Quarter, 30th September 1866 - - -	22,000	–	–
„ 31st December „ - - -	30,000	–	–
„ 31st March - 1867 - - -	8,400	–	–
„ 30th June - „ - - -	10,640	–	–
„ 30th September „ - - -	4,200	–	–
„ 31st December „ - - -	2,200	–	–
„ 31st March - 1868 - - -	186	–	–
Payment, 23rd April 1868, on an agreement releasing both sides from the contract - -	35,650	–	–
Total - - - £.	113,276	–	

According to the last certificate of the engineer, on which the sum of 186 *l.* was paid to Mr. Webster (*see* March 1868), the value of the work done was 77,356 *l.*

3. The three next items to be mentioned are the following:—

	£.	s.	d.
Works for irrigation purposes - - -	894	7	8
Machinery - - - - - - - -	794	19	2
Fuel, Wages, &c. - - - - - -	420	7	7
Total - - - £.	2,109	14	5

Appendix.

This account began from April 1868, when Webster's contract was cancelled, and the Company executed works on their own account. The expenditure includes the cost of constructing troughs, &c., for carrying sewage, an additional pump at Barking Creek, and repairs.

4. *Engineering and Surveying.*—This item includes 3,000 *l.* to the engineers (Messrs Hemans and Bateman), reimbursed to the International Financial Society, who had advanced this sum in July 1868. The resolution of the Company closes all contracts and engagements with Messrs. Hemans and Bateman "for the present and future," on payment of this 3,000 *l.*

5. The next items, *Directors' Fees, Salaries, Rent, and Furniture,* are principally for expenditure at the central office.

6. *The Farm Account* begins in June 1866. It includes premium on taking the farm, purchase of stock, cost of building, irrigation, and drainage works.

	£.	s.	d.
In June 1866 the expenditure was - -	3,859	11	4
In the next twelve months (1866-67) the expenditure, less receipts from sale of produce, was - - - - - - - - -	12,228	13	3
	16,088	4	7
In 1867-68 the receipts exceeded the expenditure by - - £. 229 13 9			
During nine months, from March 1868, till March 1869, receipts exceeded expenditure by - 1,133 10 1			
	1,363	3	10
Net cost of Farm Account - - £.	14,725	-	9

7. The last item is for expenditure on the *Maplin Sands Experiments at Barking Creek.*

	£.	s.	d.
In 1865-66 this amounted to - - -	1,248	9	8
1866-67 „ „ - - -	269	13	6
1867-68 „ „ - - -	26	1	1
	1,544	4	3
1868-69 receipts over expenditure - -	20	9	1
Net cost of Experiments - - £.	1,523	15	2

Turning to the receipt side, I have examined the share register and register of transfers. Not having seen the agreement between the International Financial Society and the Sewage Company, I can only arrive at a general conclusion as to the extent to which the latter is in the hands of the former, but I believe it would be safe to assume that of the 128,900 *l.* received on registered shares, close upon two-thirds are in the hands of the International Financial Society, and, as the amount received on shares not registered (365,070 *l.*) was subscribed before June 1866, and has borne no interest up to the present time, and it is understood that the Financial Society agreed to find the necessary money, it may be assumed that this sum was entirely subscribed by them. It should also be stated that the *transfers* of shares have principally been *to* the International Financial Society; and, when fresh money is required, instead of a call being made on the proprietary generally, the International Society pays up instalments on some of the registered shares. Mr. R. A. Heath, chairman of the International Society, is also chairman of the Sewage Company, and three of the directors of the former are connected with the latter.

During the last nine months, as showing financially, the scale of the present operations of the Company, the receipts have been as follows:—

	£.	s.	d.
From Farm - - - - - - - -	1,133	10	1
„ Sewage - - - - - - -	54	19	2
Barking Creek - - - - - - -	20	9	1
Rents - - - - - - - - -	26	6	6
Interest - - - - - - - -	145	17	9
Payments "in full" on 1,250 shares - -	10,000	-	-
Total - - - £.	11,381	2	7

And

Appendix.

And the Expenditure—

	£.	s.	d.	£.	s.	d.
Engineers (including 3,000 *l.* to Messrs. Hemans and Bateman, on the termination of engagement)				3,105	–	–
Land	234	14	–			
Machinery	794	19	2			
Fuel	420	7	7			
Irrigation	485	5	6			
Fees, Salaries, Rent, Office Expenses, &c.	1,509	1	6			
Legal expenses	885	7	7			
Interest on Registered Share Capital	5,557	8	9			
Miscellaneous	61	9	3			
				9,948	13	4
Total £.				13,053	13	4

I append a statement of the Company's total income and expenditure up to 31st March last.

28 June 1869. (signed) *Arthur Gunn*, Accountant.

Metropolis Sewage and Essex Reclamation Company.

Account up to 31st March 1869.

Audited up to 30th June 1868; afterwards abstracted from Company's Books.

Dr. *Cr.*

	£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.
To Capital* paid up:—							By Concession (5,000 Shares)	50,000	–	–			
On 27,450 Registered Shares, including 5,000 Shares, fully paid, for Concession	128,900	–	–				„ Compensation to South Essex Estuary Company (28 Vict. c. 121, s. 49)	5,000	–	–			
On 182,550 Shares, not Registered, 2 *l.* per Share, less 30 *l.* in Arrear	365,070	–	–				„ Parliamentary and Legal Expenses	24,471	13	10			
				493,970	–	–	By Contract, Land Purchases, &c.:—						
To Interest received				12,131	12	11	International Financial Society (£. 205,000 – –)						
„ Receipts for Sewage				83	19	2	Webster-Works (£. 113,276 – –)						
„ Rents				26	6	6	Land Purchases, &c. (£. 8,776 11 5)						
							Works for Irrigation (£. 894 7 8)						
							Machinery (£. 794 19 2)						
							Fuel (£. 420 7 7)						
								329,162	5	10			
							„ Engineering and Surveying	21,366	–	–			
							„ Interest on Registered Capital	16,733	6	9			
											446,733	6	5
							„ Directors' and Auditors' Fees	9,006	5	11			
							„ Salaries, Wages, and Travelling Expenses	4,195	5	2			
							„ Rent, Stationery, Advertising, &c.	2,773	3	11			
							„ Furniture	398	1	–			
											16,372	16	–
							„ Farm Account	14,725	–	9			
							„ Barking Creek Land and Maplin Sands Experiments	1,523	15	2			
											16,248	15	11
							„ Miscellaneous (Suspense Account)	–	–	–	61	9	3
											479,416	7	7
							„ Balance on 31st March 1869, including the deposit with the Board of Works	–	–		26,795	11	–
Total £.				506,211	18	7	Total £.				506,211	18	7

* Total Capital authorised, 2,100,000 *l.* (including 50,000 *l.* for Concession), in 210,000 Shares of 10 *l.* each.

(signed) *Arthur Gunn*, Accountant.

Appendix.

Metropolitan Board of Works.

EXTRACTS from the Annual Reports of the Board on the Utilization of the Sewage.

REPORT, 1862.

Utilization of the Sewage.

Whilst the Board have been pressing on with all possible speed the work of intercepting drainage, they have not been unmindful of the important subject of utilizing the sewage. The subject involves many considerations of a sanitary, financial, and scientific character.

The Board have, during the latter part of the year 1861, given considerable attention to the question, and have had before them several applications for taking the sewage for extended periods.

The House of Commons, however, early in February of the present year, having appointed a Committee to inquire—

> "Into the best means of utilizing the Sewage of the Cities and Towns of England, with a view to the reduction of Local Taxation, and the benefit of Agriculture."

The Board determined to defer the further consideration of the subject until that Committee should present their Report.

The Committee have met on many occasions, and, at the date of this Report, had not concluded their labours.

REPORT, 1862-63.

Utilization of the Sewage.

Among the more important questions which have received the attention of the Board, has been that of the application of the sewage to agricultural purposes. The subject, however, is one not of easy solution, and involves many difficulties which do not appear on a mere cursory glance. The vast quantity of sewage to be dealt with; the adoption of any scheme combining proper safeguards to the public health, and the prevention of any depreciation of property, combined with a prospect of adequate remuneration to the promoters, and of ultimate revenue to the metropolitan ratepayers, are amongst those considerations which the Board have to deal with; and, it may also be mentioned that, beyond the ordinary legal remedies given by the general law, the Act authorising the construction of the main drainage works, contains provisions giving to the Secretary of State stringent summary powers, in the event of nuisance arising.

In the Report of last year, reference was made to the proceedings of a Committee of the House of Commons on the subject, then sitting. That Committee was appointed to inquire "into the best means of utilising the Sewage of the Cities and Towns of England, with a view to the reduction of Local Taxation and the benefit of Agriculture," and, in the autumn of last year, they issued their Report. The conclusions arrived at by the Committee were—

> "That it appears, from the evidence laid before them, that the value of the sewage of the cities and towns varies greatly, according to the extent to which the manure and other fertilising refuse of the place is discharged into, and mixed with, the town drainage, and to the extent of the area of rainfall which flows into the town drains; but when these fertilising matters are not diluted in an unusual degree, the sewage is of great agricultural value.
>
> "That the cost of the application of this sewage depends upon the relation of the town to the surrounding agricultural lands, and to their value and quality; but when these relations are not unusually adverse to the application of the sewage, it can be applied for agricultural purposes, with profit either to the town or to the owners of the land.
>
> "That evidence has also been laid before your Committee to show that town manure can be collected before it is mixed with the drainage, and profitably applied to agricultural purposes; but this application has been too limited to admit of your Committee expressing any opinion on the subject.
>
> "Your Committee think the information now obtained will enable the authorities in each city or town to deal with the sewage in the manner most suitable to the particular circumstances of the place; but your Committee desire to add, that the municipal authorities have not at present sufficient powers to enable them to rent, or otherwise deal with, lands in their neighbourhood, for the most profitable application of the sewage in relief of local taxation."

The

The Board, in the early part of the present year, invited by advertisements in the public newspapers and scientific journals, circulating in the town and country, applications for taking the sewage, and the month of May was the period limited for their reception. Several proposals were received, but it having been found that other parties were desirous of making offers to the Board, who were precluded from doing so from want of sufficient time to enable them to prepare their plans, the Board extended the period for receiving tenders until the present month, when communications were received which are now under investigation by a committee. The information which the parties have been enabled to acquire on the question since last year, will, it is hoped, assist in the settlement of this important question, by the production of a plan for the utilisation of the sewage, whereby the productive qualities of the soil will be assisted, a remunerative profit afforded to its projector, and some pecuniary means provided for the reduction of the burthens of metropolitan taxation, thereby assisting the Board to carry out many works of public improvement urgently required in the metropolis.

REPORT, 1864.

Utilization of the Sewage.

It may be convenient here to recapitulate briefly the steps which have from time to time been taken in regard to this important subject. Soon after the commencement of the works, for the main drainage of the metropolis, the question of the profitable application of the London sewage was taken up by the Board. At that time considerable differences of opinion existed as to its value as a regenerator of the soil, and whether it could ever be made commercially profitable, and a source of revenue to the metropolitan ratepayers. On the one hand there were many persons who were persuaded that it possessed high fertilising properties, and on the other there were those who did not hesitate to express an entirely opposite view. The Board considered that it was their primary duty to settle and carry out with the utmost dispatch, consistent with the peculiar nature of their works, their plan for the purification of the Thames, for above all other considerations, that of the health of the people stands paramount; but they have never been unmindful of the question of the utilisation of the sewage, and it will have been observed in the previous part of this Report, having reference to the main drainage works, that they have been designed so as to carry the sewage into the country, to such points on the Thames as will prevent its becoming a source of annoyance to a large population, and which if need be, facilitate its application to agricultural purposes. The question of its utilisation frequently engaged the anxious consideration of the Board; and in the latter part of the year 1859 they determined to invite by public advertisements in the leading papers and scientific journals, proposals for taking the sewage. These appeared in the month of January 1860, and the period given to the parties tendering was six months. In July five proposals were opened; and subsequently two proposals from other parties were made to the Board. These several propositions were referred to the Main Drainage Committee, who carefully examined the same, and the result of their deliberations is embodied in the following extract from their Report, which was laid before the Board on the 3rd January 1862.

> "The directors of the London Sewage Utilization Company propose to take so much of the sewage from the outfall sewer on the north side of the river as they shall require and be able to employ, for a preliminary term of two years, at a rental of 5 *l.* per annum; and on the expiration of such term, if the company should desire it, that the Board should concede to them all such sewage conveyed by the outfall sewers, on both sides of the river (except the western district sewage), as they shall require, for a term of 21 years from the expiration of the preliminary term before mentioned, at a rental of 5 *l.* per annum; that at the end of such 21 years, if the company should require it, the Board shall grant them an extension of the term, at a rent or royalty to be agreed upon; and that in estimating the amount thereof, and the length of the extended term, regard shall be had in favour of the company to the originally speculative nature of the undertaking and to the outlay thereon. The company also propose to reserve to themselves the right of relinquishing the sewage at any time, on giving to the Board two years' notice to that effect.
>
> "The propositions made by Mr. John James Moore embrace the taking of the whole of the sewage of the metropolis for its application to agricultural purposes, for a term of 90 years, or other reasonable period, the Board receiving a nominal or peppercorn rent for the first 14 years, and at the expiration of that time one-half of the profits which may be derived from the sale of the sewage, after deducting 10 per cent. on account of the capital invested, or such reasonable return as may be awarded by arbitrators, to be appointed by Her Majesty's Secretary of State.
>
> "Mr. George Shepherd proposes, on behalf of a company to be formed, to take the sewage of London for agricultural purposes, for a term of 50 years in the first

Appendix.

instance, the company to be entitled, out of the revenue arising from the scale of the sewage, on all occasions, to a preference of 7½ per-cent. per annum, on the capital employed; that all proceeds, beyond such per-centage, shall be equally divided between them and the Board; and that at the expiration of the 50 years the company shall receive a preference of 5 per cent. on their capital, the surplus being divided as before.

"Mr. Charles F. Kirkman states that he has devised a plan for deodorising and utilising the sewage to its fullest extent, and will be prepared to submit to the Board a description of such plan, if an adequate remuneration be secured to him for it.

"The propositions made by Mr. Ellis on behalf of a company to be formed, are: That the company shall take the sewage of London from the reservoirs at the outfalls, and raise it by pumping to elevated positions on both sides of the river, with a view to distribute it from thence for agricultural purposes; the sewage, previously to its application to the land, being freed from offensive smell, if so required by the Board; that the Board shall be empowed at any time to have the power of suspending the further distribution of the sewage, if found likely to cause a nuisance; that in the event of accident to the machinery, or from any other cause, the company should be unable to apply the whole or any portion of the sewage to the land, they should be empowered to pump the same into the river, having previously deodorised and precipitated it; that from the revenue derived from the sale of the sewage, the company shall receive a preference dividend of 5 per cent. on the amount of their paid-up capital, the remainder of the revenue being divided between them and the board; that the management of the company be vested in a Court of Directors, one-half of such directors being elected by the shareholders, the other half being nominated by the board from their own body, and that the board shall concede the sewage to the company in perpetuity, or for such term as they have power to grant. Mr. Ellis has furnished your committee with additional explanations on the subject of his propositions, and has also laid before them estimates of the cost of the necessary works, the working expenses, and the anticipated revenue.

"The communications from the Honourable William Napier and Mr. Hope, on behalf of a company about to be formed, were for taking the dry weather sewage of the northern area of the metropolis, from which it appears that it is contemplated to reclaim certain tracts of land on the Essex coast, to the extent of about 20,000 acres, and to render them productive by irrigating them with the sewage. The cost of the works for carrying out the plan is estimated at 2,000,000 *l.*; and it is intended to incorporate a company under an Act of Parliament for the subscription of the capital, and the working of the scheme, should the necessary grants of the land and the sewage be obtained from the Crown and this Board. The propositions made to the Board on behalf of the proposed company are as follows:—

"The grant of the sewage to be conditional on the ratification by Parliament of the grant by the Crown of the land upon which it is proposed to operate.

"The right of the company to the sewage to be absolute and exclusive for a period of 50 years, commencing from such time as may be fixed upon by the board, and sanctioned by Parliament, for the completion of the works.

"The works of the Company to be capable of taking the ordinary dry-weather discharge, as estimated by the officers of the Board, at 10,000,000 cubic feet per diem.

"All net profits realised by the Company in excess of 10 per cent. on their total outlay, to be equally divided between the Company and the Board, such profits to be verified by the Company's auditors, in conjunction with an auditor to be appointed by the Board of Trade. Should the net profits in any year, within five years after the completion of the works, not be equal to 10 per cent. on the outlay, the Company to be compensated from the profits of the following years.

"In the event of the Company making sales of the land, and realising more than the original cost of their whole works, together with the stipulated 10 per cent, per annum, all profit over and above the sum thus standing at debit on the books of the Company, to be divided between the Company and the Board. All money realised by such sales of land to go to the credit of the capital account of the Company.

"On giving seven years' notice, the Board to have the right to take over at the expiration of the grant of 50 years, the whole of the Company's works and land at a valuation, such valuation in no case to be below the total original cost, as passed by the auditors above mentioned. In the event of the Board not wishing to exercise this right, a new concession of the sewage to be granted to the Company for 50 years on the same terms.

"The Board to be represented in the management of the Company by two directors, who shall have all the powers of ordinary directors, with the same fees.

"Your

"Your committee have inspected a plan showing the lines of culvert to be constructed for the conveyance of the sewage to the lands to be irrigated, and have also received verbal explanations from Mr. Hope and Mr. Hemans, the engineer of the promoters, as to the nature of the scheme, and the revenue expected to be derived therefrom.

"Your committee, in deliberating on the various propositions, have been mainly guided by the fact that two very material points were necessary to be secured; the first, the absolute necessity for guarding the Board against the consequences which would arise in the event of a nuisance being created by the application of the sewage; and the second, the desirability of adopting, if possible, a scheme which should hold out a prospect of some benefit, in a financial point of view, ultimately accruing to the ratepayers of the metropolis. These objects are, in the opinion of your committee, more likely to be effectually attained by the scheme propounded by the Honourable William Napier and Mr. Hope, than by either of the others which have been submitted to your honourable Board.

"The promoters of that undertaking have complied with the Standing Orders of Parliament, as to the deposit of plans, &c., and have made arrangements for prosecuting a Bill during the coming Session for enabling them to carry out their proposal. Your committee have conferred with your engineer on the practicability of the scheme, and the sufficiency of the estimates for the works, and he is of opinion, after examining the detailed drawings and the estimates, that the works are well designed, and the estimates fair and sufficient. Your committee have also considered the Draft Bill, prepared by the promoters. It may be proper to observe, that the question, whether the Board are empowered, under the provisions of their Acts, to enter into an arrangement of the nature now under consideration, is not free from doubt; but as the Bill will require modification, in order effectually to secure the interests of the Board, that point can be provided for during its passage through Parliament. Your committee beg to submit a copy of the Reports of your solicitor and engineer with reference to the scheme, and the Draft Bill, which Reports have, by direction of your committee, been printed, and a copy supplied to each member of your honourable Board; and they also beg to submit a copy of the Parliamentary plans deposited by the promoters.

"Your committee, being fully impressed with the great importance of the subject entrusted to their consideration, have devoted considerable time and careful attention thereto, and have arrived at the conclusion that it is desirable your honourable Board should entertain favourably the proposition for dealing with the sewage of the northern area of the metropolis, contained in the communications from the Honourable William Napier and Mr. Hope, and that they should assent to the principle of a concession of the sewage of that area for a term of 50 years; provided the requisite authority be granted by the Legislature for that purpose, and subject to the introduction of all necessary Clauses in the Bill, for the protection of the Board and of the public interests confided to them, and for ensuring the fulfilment by the Company of the obligations undertaken by them.

"It is essential, in order to enable the promoters to proceed with their arrangements, and to deposit the amount required by the Standing Orders of Parliament, that your honourable Board should, without delay, come to a decision on their propositions; and, with that view, your committee submit their Report, in order that it may be entered on the Minutes of the proceedings of the Board; and they suggest that your honourable Board should defer the further consideration thereof until their meeting on the 10th instant; and, in the meantime, each member will, no doubt, avail himself of the opportunity thus afforded of possessing himself of the information contained therein."

On the bringing up of the Report of the Committee, a proposition was made by one of the members of the Board to accept the offer of Messrs. Napier and Hope, but the Board's attention having been called to the appointment by the House of Commons, on the motion by Dr. Brady, of a Select Committee "to inquire into the best means of utilising the Sewage of the Cities and Towns of England, with a view to the reduction of Local Taxation, and the benefit of Agriculture," they felt that they would be wanting in respect to that House were they further to proceed in the matter until the Committee had concluded its labours.

The Committee laid their Report and the Evidence taken by them, before the House in the month of July 1862, and the Board considering that the evidence obtained by the Committee might afford additional information to the parties tendering, and perhaps induce others to send in proposals, determined to issue further advertisements, inviting tenders. The tenders received were opened in the month of July 1863, and it was found that, in addition to the parties who had tendered in 1860 and who renewed their tenders, three others responded to the advertisement; these were Mr. David Curwood, Lord Torrington, Sir Charles Fox, and Mr. Hunt, and Dr. Thudichum. The particulars of these communications were as follow:—

Appendix.

Dr. Thudichum proposed, by a mechanical arrangement, so to separate the house drainage, as to retain that which he considered most valuable, and he gave a sketch of his closet and drains, and tables of analysis of the constituents of fluid sewage. He estimated the cost of the works for carrying out his process at one million and a half, and the net profit at one million per annum; of this he proposed that he should receive a percentage; and that one half of the balance should be paid to the Board, and one half to the shareholders of a company to be formed for carrying out the system.

Mr. Daniel Curwood did not tender; but he suggested the separation of the solid from the liquid sewage.

Lord Torrington, Sir C. Fox, and Mr. Thornton Hunt regretted their inability to comply with the conditions of the advertisement, on the grounds of the impolicy of publicly declaring the land with which they proposed to deal, but expressed their willingness to discuss the matter with the Main Drainage Committee, and enter into a provisional arrangement for prosecuting a Bill in Parliament during the then ensuing Session.

These communications were all referred to the Main Drainage Committee, who reported the result of their examination on the 7th of August 1863.

The Report of the Committee, and all subsequent communications on the subject, were laid before a Board specially convened for the purpose on the 1st December 1863, when, after a full discussion, they resolved to confer with the several parties as to other conditions named in the advertisements, upon which their proposals are neither full nor explicit, and generally to consider as to the utilisation of sewage.

It should be stated that, since the receipt of their tender in July 1863, Messrs. Napier and Hope have modified their plans by abandoning, for the present, the reclaiming of the Dengie Flats, and now confining themselves to operations on the Maplin Sands, and to entering into arrangements with agriculturists, along the line of the culvert, for supplying them with the sewage for irrigation. They have also modified the terms on which they proposed to deal with the profits. Instead of giving to their company a preference dividend of 10 per cent., they now propose one of 7½ per cent., and that all the profit realised, above 7½ per cent. on the capital, shall belong to this Board, until it shall also obtain an equal sum with the company, after which profits are to be equally divided.

Proceeding on this reference, the Main Drainage Committee addressed themselves to the reconsideration of the whole subject. They have also had before them the several parties making the tenders, and have received from them verbal explanations of their plans. This investigation was about to be brought to a close, when Lord Robert Montagu obtained the appointment of another Select Committee of the House of Commons, "to inquire into any plans for dealing with the Sewage of the Metropolis and other large Towns, with a view to its utilisation to Agricultural purposes." The consideration of the subject was thereupon again postponed, the Board being desirous of availing themselves of such new facts and information as the larger powers of the Parliamentary Committee to take evidence might be likely to obtain.

The Select Committee has already sat for 18 days, and has taken a large amount of evidence, which it is understood will be printed in the course of a short time, when copies will be placed in the hands of each of the members of the Board, and an early day fixed for the further consideration, and, it is hoped, final discussion of the subject.

REPORT, 1864–5.

Utilization of the Sewage.

North Side of the Thames.

The important question of dealing with the sewage of the metropolis has again, during the past year, received considerable attention from the Board. In their last Annual Report they referred to the various steps they had taken since 1859, in connection with this subject, which has been beset with more than ordinary difficulties in consequence of the various opinions entertained with regard to the commercial value of the sewage as a fertiliser, and the practicability of rendering it available for agricultural purposes. The Board have, in answer to the advertisements which they have on several occasions inserted in the public journals, received tenders, each of which, with one or two exceptions, contained a proposal that they should participate in the anticipated profits arising from the sale of the sewage, with a view to reducing the taxation of the metropolis. These several tenders were referred by the Board to one of their committees for investigation; previously, however, to its completion, namely, on 27th of April 1864, a Parliamentary Committee was appointed to inquire into plans for dealing with sewage, and this circumstance induced the Board to postpone their further consideration of the subject until that Committee should have made its Report. At the date of the Board's last report, the Parliamentary Committee were still engaged in the inquiry; they subsequently made a Report, in which they intimated their opinion, from the evidence adduced before them, that it was not only possible to utilise the sewage of towns by conveying it in a liquid state through mains and pipes to the country, but that such an undertaking might be made to result in pecuniary benefit to the ratepayers of the towns whose sewage was thus utilised. Looking to the difference of opinion which existed on some of the main points connected

connected with the question, and deeming it desirable that they should obtain further information on the subject, the Board, shortly after receiving the Report of the Select Committee, determined on visiting some of the towns in which sewage had been utilised, and several of its members accordingly visited Croydon, Rugby, Edinburgh, and Carlisle. They inspected the operations in those towns for the utilisation of the sewage, and examined the lands to which the sewage was applied, and having received explanations from the authorities as to the methods adopted, and their results, the information was embodied in a Report presented to the Board by their Main Drainage Committee (*see* Appendix C. to this Report), and that committee, at the same time, reported upon the tenders which had been made by the following parties, viz.:—

Dr. Thudichum.
Mr. D. Curwood.
Lord Torrington, Sir C. Fox, and Mr. Hunt.
Mr. Jno. Jas. Moore.
The London Sewage Utilization Company.
Mr. Shepherd.
Mr. C. F. Kirkman.
Mr. T. Ellis.
Hon. W. Napier and Mr. W. Hope.

The Board, feeling that the scheme would be further tested in respect to its engineering and financial details by the inquiry before the Parliamentary Committee, assented to the principles enunciated by their committee, and recorded their opinion that the tender of Messrs. Hope and Napier for dealing with the sewage on the north side of the Thames, so far as the general scheme was concerned, offered the greatest advantages, and thereupon authorised the committee to negotiate with those gentlemen the precise terms upon which the concession of the northern sewage might be granted to them.

The proposition of Messrs. Hope and Napier is to construct works for enabling them to irrigate with sewage a portion of the Maplin Sands, on the coast of Essex, and to enter into arrangements with agriculturists along the line of their works, for the supply of sewage to them. The capital to be raised is 2,100,000 *l.*

Much consideration was given by the committee to the terms upon which the concession should be made, and after considerable negotiation with the promoters of the scheme, the committee submitted to the Board an agreement (*see* Appendix D. to this Report), which they considered the Board might, with a due regard to the interests of the public, accede to.

By this agreement the Board were to grant to Messrs. Hope and Napier (who are described as the concessionaries), and their legal representatives, the absolute and exclusive right and property in the sewage of the northern area of the metropolis, collected in the Northern Main Outfall Sewer, including the sewage deposit and residuum in the reservoirs, for a period of 50 years, to be computed from the expiration of four years after the passing of an Act for ratifying the concession.

The concessionaries were, within six calendar months after the passing of the Act, to deposit with the Board the sum of 25,000 *l.*, as a guarantee for the due execution of their works, and were to construct brick culverts of not less than nine feet six inches in diameter, for conveying the sewage to the Sands to be operated upon; and on the completion of those culverts, the Board were to return them the 25,000 *l.* In the event, however, of the concessionaries failing to complete the culverts within four years from the passing of an Act authorising their construction, the money was to be forfeited to the Board.

The agreement provided for the delivery of the sewage at a certain point in the outfall sewer, near Abbey Mills, or at such other point in that sewer as might be agreed upon by the Board and the concessionaries.

The concessionaries were to be bound to take, at all times and in all weathers, during the subsistence of the concession, so much of the sewage collected in the outfall sewer, as a culvert of the above-mentioned dimensions was capable of passing; the quantity, however, was in no case to exceed twelve million cubic feet in twenty-four hours.

The concessionaries were to have the right to use, and the property in, so much of the sewage collected in the outfall sewer as could be received and utilized by them during the four years immediately after the passing of the Act.

The Board, on giving to the concessionaries not less than five years' notice in writing, were to have the right to take over, at the end of the concession, the whole of the works and land of the concessionaries at a fair valuation by arbitration.

After deduction of the annual charge for money borrowed and rent-charges (if any) granted by the concessionaries in accordance with the agreement, and of their working and establishment expenses, the net profits of the concessionaries were to be applied and divided as follows:—

"The net profits, sufficient to pay interest not exceeding the rate of five per centum per annum on the share capital for the time being, shall belong to the concessionaries.

"The net profits, after payment of such interest at the rate of five per centum, until they would be sufficient to pay, in addition to such interest, on the average of the year, a sum at the rate of 10 per centum on the share capital aforesaid, shall be divided equally between the concessionaries and the Board.

"The net profits, after payment of such interest at the rate of five per centum, until they would be sufficient to pay, in addition to such interest, on the average of

Appendix.

the year, a sum at the rate of 20 per centum on the share capital aforesaid, shall, as to so much as exceeds 10 per centum, but does not exceed 20 per centum, be divided between the concessionaries and the Board, in the proportion of one-fourth to the concessionaries and the residue to the Board."

"Any further net profits shall be divided equally between the concessionaries and the Board."

The proportion of net profits were to be payable to the Board half-yearly, without any deduction, except in respect of income tax.

On giving to the concessionaries not less than two years' notice in writing before the determination of the first 30 years of the full term of the concession, the Board were to have the right, on the termination of those 30 years, to require a revision by arbitration, of the stipulations of the agreement, with respect to the apportionment of profits.

The money from time to time paid to or recovered by the Board in respect of net profits was to belong to them, for the benefit of the ratepayers of the metropolis; but they were not to be liable as partners with the concessionaries, by reason of any payment to or for their benefit out of the profits of the undertaking, or by reason of any other matter stipulated for in the agreement.

The agreement also provided that if at any time during the subsistence of the con cession, Her Majesty's Principal Secretary of State for the Home Department, on the application of the Board, or of the concessionaries, was of opinion, and certified that the operations of the concessionaries had failed to accomplish the end contemplated, the Board, or the concessionaries, were to be at liberty to make application to Parliament for the revision of the concession, and of the provisions of the Act.

Other stipulations were contained in the agreement, but they related for the most part to matters of detail, and such as were considered necessary for protecting the interests of the Board. The Board, after consideration, ratified this agreement; and Messrs. Hope and Napier subsequently introduced a Bill into Parliament for confirming it, and enabling a company to carry out the scheme. This Bill met with some opposition, and was very fully discussed before a Select Committee of the House of Commons, who were instructed by that House "to inquire into the most useful and profitable means of disposing of the Metropolitan Sewage on the North side of the Thames"; and the Committee having taken evidence on the subject, submitted to Parliament a Report, in which they state their conclusions, as follows:—

"From this evidence it appears to your Committee that the scheme brought before them by Messrs. Hope and Napier, and embodied in the Bill before the House, fulfils the following requisitions:—

"It provides, in the first place, for the complete removal from the River Thames of the whole of the ordinary sewage of the northern part of the metropolis, leaving only, on the occasion of heavy rains, a portion of the sewage still to flow into the river, but so small and exceptional that it may, for all practical purposes, be left out of consideration.

"It provides, in the next place, for the irrigation, by sewage in whatever quantities may be found useful, of a considerable area, particularly well adapted for such a purpose, inasmuch as the natural character of the soil is light and favourable.

"Moreover, the low level of the district enables the sewage to be applied with very little mechanical aid, and in fact mainly by gravitation. It may also be observed that an extension of this area might be made by pumping the sewage to a moderate elevation.

"Lastly, with respect to whatever portion of the sewage may not be disposed of in its course, the scheme proposes to apply it in the reclamation of a barren portion of land on the coast, in a manner recommended by experience.

"The combination of these different modes of using the sewage is of great consequence in insuring at all times and seasons the beneficial application of the whole of the sewage, with the small exception above mentioned on the occasion of heavy rains.

"Upon this evidence your Committee are of opinion that the scheme which has been submitted to them is a useful and profitable mode of applying the sewage of the northern portion of the metropolis, and they have no reason to suppose that any more useful or profitable scheme could be devised."

The Bill, which effected a slight modification in the conditions of the agreement above referred to, received the Royal Assent on the 19th June last, and the Board have reason to believe that the company will very shortly be formed, and their works for carrying the scheme be commenced and completed with all possible speed.

The Board cannot refrain from expressing their satisfaction at the successful issue of their endeavours to obtain a scheme for utilising the northern sewage, which, while it offers the advantages of avoiding the discharge of sewage into the river at Barking Creek, and renders it available for the purposes of agriculture, holds out a prospect of being the means of contributing to the financial resources of the Board, and thus alleviating the burdens of the metropolitan ratepayers.

South Side of the Thames.

The completion of the works for intercepting and conveying the sewage of the south side of the Thames to the outfall at Crossness, has induced the Board to turn their attention to the question of the means of utilizing the sewage of that portion of the metropolis, and, acting on the experience gained with regard to the northern sewage, they have caused advertisements to be inserted in the public journals inviting propositions for dealing with the sewage.

The Board, in reply to their advertisements, received, on the 7th instant, tenders from Mr. Rigby Wason, Mr. George Shepherd, Mr. C. F. Kirkman, Mr. B. Smith, and Mr. Thomas Ellis, which tenders they have referred to their Main Drainage Committee for consideration, with a request that they will report thereon at the earliest possible period; and they have also instructed the engineer to report to the Committee upon the engineering features of each scheme; and the Board entertain the hope that, in their next annual Report, they will be enabled to state that the southern sewage has also been advantageously disposed of.

REPORT, 1865-6.

Utilization of the Sewage.

North Side of the Thames.

The Board in their last Report set forth the steps they had taken in reference to this important subject. They also gave the particulars of the arrangements they had entered into with Messrs. Napier and Hope, the promoters of the scheme for the reclamation of a large portion of the Maplin Sands, near the mouth of the River Crouch on the Essex coast, and the utilization of the northern sewage in connection with that scheme.

The terms on which the concession of the northern sewage was made, were as follows:—

The Board were to grant to the concessionaries and their legal representatives the absolute and exclusive right and property in the sewage of the northern area of the metropolis, for a period of 50 years, to be computed from the expiration of four years after the passing of an Act for ratifying the concession.

The concessionaries were, within six calendar months after the passing of the Act, to deposit with the Board the sum of 25,000 *l.*, as a guarantee for the due execution of their works, and were to construct brick culverts of not less than 9 feet 6 inches in diameter, for conveying the sewage to the sands to be operated upon; and on the completion of those culverts the Board were to return them the 25,000*l.* In the event, however, of the concessionaries failing to complete the culverts within four years from the passing of an Act authorising their construction, the money was to be forfeited to the Board.

The concessionaries were to be bound to take at all times, during the existence of the concession, so much of the sewage collected in the outfall sewer as a culvert of the above-mentioned dimensions was capable of passing; the quantity, however, was in no case to exceed 12,000,000 cubic feet in 24 hours.

The concessionaries were to have the right to use, and the property in so much of the sewage collected in the outfall sewer as could be received and utilized by them during the four years immediately after the passing of the Act.

The Board, on giving not less than five years' notice, in writing, were to have the right to take over, at the end of the concession, the whole of the works and land at a fair valuation by arbitration.

After deduction of the annual charge for money borrowed, and rentcharges, and of the working and establishment expenses, the net profits of the concessionaries were to be applied and divided as follows:—

The net profits sufficient to pay interest, not exceeding the rate of 5 per centum per annum, on the share capital for the time being, to belong to the concessionaries.

The net profits, after payment of such interest at the rate of 5 per centum per annum, until they would be sufficient to pay in addition to such interest, on the average of the year, a sum at the rate of 10 per centum on the share capital aforesaid, to be equally divided between the concessionaries and the Board.

The net profits, after payment of such interest at the rate of 5 per centum per annum, until they would be sufficient to pay in addition to such interest, on the average of the year, a sum at the rate of 20 per centum on the share capital aforesaid, should, as to so much as exceeds 10 per centum, but does not exceed 20 per centum, be divided between the concessionaries and the Board, in the proportion of one-fourth to the concessionaries and the residue to the Board.

Any further net profits to be divided equally between the concessionaries and the Board.

The proportion of net profits are to be payable to the Board half-yearly, without any deduction, except in respect of income-tax.

Appendix.

On giving to the concessionaries not less than two years' notice, in writing, before the determination of the first 30 years' of the full term of the concession, the Board are to have the right, on the termination of those 30 years, to require a revision, by arbitration, of the stipulations of the agreement, with respect to the apportionment of profits.

The money from time to time paid to the Board, in respect of net profits, is to belong to them for the benefit of the ratepayers of the Metropolis; but they are not to be liable as partners with the concessionaries by reason of any payment to or for their benefit out of the profits of the undertaking, or by reason of any other matter stipulated for in the agreement.

The agreement also provides that, if at any time during the existence of the concession, Her Majesty's Principal Secretary of State for the Home Department, on the application of the Board, or of the concessionaries, is of opinion, and certifies that the operations of the concessionaries have failed to accomplish the end contemplated, the Board or the concessionaries are to be at liberty to make application to Parliament for the revision of the concession, and of the provisions of the Act.

The Board having ratified the agreement, Messrs. Napier and Hope subsequently introduced their Bill into Parliament for confirming the agreement, and the formation of a company to carry out the scheme.

The Bill, after being very fully discussed in a Select Committee of the House of Commons, was passed, and received the Royal Assent on the 19th June 1865.

The Board have now the satisfaction to report that the Company has been formed in conformity with the provisions of the Act, and that the sum of 25,000 *l.* has been deposited in accordance with the terms of the agreement, as a guarantee for the due execution of their works, and that the Company have lately entered into a contract with the contractor, Mr. Webster, for the construction of the culverts and other works, which are now in active progress.

Doubts having been expressed by Baron Liebig, and other persons of scientific eminence, as to the feasibility of Messrs. Napier and Hope's scheme, the Company have, during the past year, instituted a series of experiments to demonstrate the effect of the sewage on the sands to be reclaimed and acted upon; and to afford facilities to persons who might wish to see some practical test of its merits, have entered into an arrangement with the Board to rent from them about 10 acres of land, adjacent to the Northern Outfall Sewer at Barking, for the purpose of making a series of experiments. This land, which was in a very rough and uncultivated state, has been covered with sand taken from the area proposed to be reclaimed from the sea, to the depth of about a foot, and on this rye grass has been sown. This has been irrigated with sewage taken from the Northern Outfall Sewer, and samples of the crops grown have been sent to the office of the Board; and judging from what has already been done, the theories of Baron Liebig and others are in no way borne out, and there appears to be no reason whatever to doubt the ultimate success of the larger undertaking to be carried out by the Company on the Maplin Sands.

South Side of the Thames.

The disposal of the southern sewage had also been under the consideration of the Board prior to the date of their last Report. They felt that experience had been gained in connection with the question of the northern sewage, and they trusted that, by inviting tenders for the southern sewage, they might be enabled speedily to arrange for a concession of that area also, and thus utilize the whole of the sewage under their control for the regeneration of the soil, and rescue it for ever from the river.

The Board, as was briefly stated in their last Report, advertised for tenders for the southern sewage, and, on the 7th July 1865, they received five tenders from the undermentioned persons, viz.:—

Mr. Rigby Wason.
Mr. George Shepherd.
Mr. C. F. Kirkman.
Mr. B. Smith.
Mr. T. Ellis.

These tenders were, on the same day, referred to the Main Drainage Committee, for their consideration and report at the earliest possible period, and the engineer was instructed to report to the committee on the engineering features of each scheme.

The committee made their report to the Board on the 17th November 1865. They stated that none of the tenders received complied strictly with the terms of the advertisement, but that they were mostly suggestions unaccompanied by plans, sections, or other particulars necessary to show what works were intended, or the cost of them, and that they had found much difficulty, therefore, in judging of the relative merits and advantages of the several schemes.

The principal features of each proposal were, shortly, as follows—

Mr. Rigby Wason proposed to draw off the sewage from the Board's sewer at various points along its line by means of syphons, and to raise it to a height most convenient for distribution into the country through brick culverts 2 ft. in diameter. He considered it impossible, however, to give any details of the scheme, such as the points at which the sewage should be taken, the daily quantities to be utilized, the number of gallons to be supplied

supplied per acre, &c. He estimated the cost of the works at 163,000 *l.* and proposed to raise a capital of 500,000 *l.*; and did not propose to receive any profit from the concession, should it be granted to him, until the ratepayers and the Company had received between them 15 per cent. upon the capital of the Company.

Mr. George Shepherd proposed to pump the sewage, solid and liquid, undeodorised, at Deptford and Crossness, to various elevations, the highest being about 400 feet, so as to irrigate the high lands, for which he considers sewage is more in demand than for low lands. He proposed a system of district reservoirs about 20 in number, into which the sewage, after being pumped, would flow by gravitation through main pipes laid along the public roads, and in which it would be allowed to ferment and be stored for use, thus being always ready and in reserve, each reservoir to irrigate from four to five square miles. He also proposed to purchase from the Board the pumping-stations at Crossness and Deptford, by which, he states, he could furnish a large quantity of sewage to farmers within six months. He further proposed to collect on the route the sewage of every town near London. He estimates the south side sewage at 55,000 tons daily, and is of opinion that it may be diluted with 60 or 70 million tons of water. He proposed to make this available for from 40,000 to 50,000 acres, and thinks 300 tons per acre will be ample for each dressing. His capital would not exceed 600,000 *l.*; and he was of opinion that it would not be safe to estimate a profit of more than 10 per cent.; but he did not state how he proposed to apportion this.

Mr. Charles F. Kirkman proposed to adopt the solid, or dry system; to take the sewage from the Southern Outfall at Crossness, to deodorise it and separate the solid from the liquid, discharging the latter in an inoffensive form into the river. He described the process of separation, and proposed a contract of 21 years' duration from the completion of the works, which were to be ready for use within one year, and to be completed within two years from the date of the contract. He also proposed that the Board should receive a nominal rent for the first seven years of the term, and that a rent or royalty for the remainder of the term should be settled by the Secretary of State, or Chief Commissioner of Works. He gave no estimate of the cost, and stated that he could not tender in compliance with the terms of the advertisement, as they appear only to apply to persons interested in a liquid distribution of sewage.

Mr. Richard Smith proposed to force the sewage, by steam-power, to pumping stations at Deptford and Erith, thence through pipes to reservoirs situated respectively at Westwood, Hayes-common, Bagshot-heath, and Leatherhead-common. He intended to erect six reservoirs in all, each to contain about 220,000 gallons; to use the sewage partly by irrigation and partly by hose and jet, and to form about 300 acres of osier beds for the purpose of filtering the sewage after it had been used upon the higher levels, to absorb the remainder of its valuable properties and allow it, thus rendered clear and inoffensive, to run into the various streams. Mr. Smith estimated the cost of his scheme at about 400,000 *l.*; proposed a 60 years' lease of the sewage, the Board to receive 2½ per cent. after the shareholders have received 7½ per cent.; any further profits beyond this 10 per cent. to be equally divided between the Company and the Board.

Mr. Thomas Ellis proposed to conduct the sewage by a brick culvert, 11 feet 6 inches in diameter, from the Crossness reservoir to an outlet into the river at Higham Creek, about two miles below Gravesend, and 30 miles below London Bridge. This culvert to have a discharge into the river at the outfall, at low water, by gravitation, and to take the drainage from Erith, Dartford, and Gravesend, on its way. Near the proposed outfall a pumping station was to be erected, and the sewage forced through a culvert two miles in length, to an elevation of about 280 feet, whence it was to flow by gravitation through pipes, to the area proposed to be irrigated, which was stated to comprise about 196,000 acres, but the locality is not defined. At convenient points along the line of pipes the sewage to be distributed by hose and jet, or by open channels. Mr. Ellis also proposed that his company should take on lease about 4,000 acres of land, for the purpose of cultivation, on which to use any excess of the sewage. He assumed the quantity of sewage to be about nine and a half million cubic feet per diem, equal to about 98 million tons per annum, which would give 500 tons per acre on the area over which he proposed to utilize it. Mr. Ellis expressed his desire to accept the same terms of concession as those granted to Messrs. Napier and Hope; and estimated the cost of the scheme at about 1,600,000 *l.*, and his working expenses at 115,442 *l.*

The whole of these tenders, and the communications referred to in them, together with the engineer's report on the several schemes, were printed and circulated amongst the members of the Board, and the committee reported, as the conclusion at which they had arrived after mature deliberation and full discussion on the merits of the various tenders, that the plan of Mr. Ellis, imperfect as it was, contained the most favourable features, and was most capable of being so improved and developed as to meet the ends in view. They pointed out, however, one important modification, which it appeared to them should be especially required with regard to the outfall at Higham, where, in the judgment of the committee, it appeared to be absolutely necessary, in the event of the concession being granted to Mr. Ellis, that he should construct a reservoir, with pumping power, so that the discharge into the river might take place, as at Crossness, soon after high water.

The committee concluded by stating that, "in their opinion, the tender of Mr. Thomas Ellis, so far as his general scheme is concerned, offered the greatest advantages, but that

Appendix.

they were of opinion that he should be required to construct a reservoir at the point of discharge into the river on the same principle as that at Crossness, viz., to discharge at high water," and recommended that the subject should be referred back to them, to negotiate the precise terms on which a concession should be granted to him.

The Board, after discussion, agreed to the conclusion arrived at by the committee, and the subject was accordingly referred back to the committee, to negotiate the precise terms on which a concession should be granted to Mr. Ellis, and the decision of the Board was communicated to Mr. Ellis the same day before the rising of the Board, in order that he might be in a position, should he desire to do so, to give the requisite Parliamentary notices, a course which was in strict accordance with that taken with reference to the proposal of Messrs. Napier and Hope.

The Board felt strongly that the object in view in granting a concession of the sewage was not simply to prevent its flowing into the Thames, but that they had an important duty connected with it in relation to the ratepayers of the metropolis, namely, that they should agree to such a plan as would ensure a probable substantial return in relief of the burden of taxation. With this view they considered it essential to ascertain that the estimates which Mr. Ellis had submitted were not only sufficient, but, at the same time, not in excess of the amount which should be expended in connection with his plan. This was the more important, as there was a considerable discrepancy between the estimate furnished by Mr. Ellis and that arrived at by the engineer of the Board. It was therefore arranged that Mr. Ellis's engineer and the engineer of the Board, should confer on the differences between their respective estimates, in order that antagonistic evidence before a Parliamentary Committee might, if possible, be prevented.

The committee, in order that no time might be lost, and to enable Mr. Ellis to proceed to Parliament this Session, at once proceeded with the consideration of the subject, and had several interviews with Mr. Ellis, and received from him further information with respect to his plans and estimates. At the meeting of the committee on the 15th May 1866, Mr. Ellis stated that it had become evident to his friends that, after the financial crisis which had taken place, and according to the state of the money market, it would be impossible to raise funds for the object in view, and he suggested that either the concession should be granted to him on the condition that if he did not proceed to Parliament next Session it should be forfeited, or that the committee should adjourn the matter. After careful consideration, the committee, while deeply regretting the delay of another Session, felt that they had no alternative but to comply with the request for an adjournment, and they accordingly adjourned the consideration of the subject for two months.

Note.—On the 23rd July 1866, Mr. Ellis, accompanied by one of his friends (Colonel Kennedy), attended the committee, and stated that a leading capitalist had been consulted on the subject of raising funds for carrying out his scheme, but that they had been advised to postpone any steps in the matter till the money market was in a more favourable condition, and Mr. Ellis stated that, considering the present financial crisis, it would not be possible for him to proceed to Parliament in the present Session, and he therefore requested a further adjournment of the subject.

The committee, on consideration, consented to adjourn the subject for a further period, and the chairman informed Mr. Ellis that the committee had agreed to adjourn the matter till the first week in October next, when they would hear any statement he might be prepared to make, but that they would hold themselves free to issue fresh advertisements for tenders, when Mr. Ellis would be required to send in his proposition, with others who might be prepared with plans.

REPORT, 1866–7.

Utilization of the Sewage.

North Side of the Thames.

It was reported last year that the Board had granted a concession of the northern sewage to Messrs. Napier and Hope, as the representatives of the Metropolis Sewage and Essex Reclamation Company, formed in accordance with the provisions of the "Metropolis Sewage and Essex Reclamation Act, 1865," which authorised the construction of the necessary culverts and works for the purpose of conveying the sewage from the works of the Board at Barking. Under the powers of their Act, the Company have commenced the formation of the culvert for taking the sewage down to the Maplin Sands, and for the distribution of so much of it as may be required by the farmers of Essex, whose lands lie in proximity to the line of the culvert.

It was also mentioned in the last Report that an experimental plot of about 10 acres of land, adjacent to the Northern Outfall at Barking, had been rented from the Board by the Company, for the purpose of forming artificial beds of Maplin sand for testing the value of sewage irrigation on crops of a kind suitable for culture on the sands; their original intention being to confine the produce of the Maplin Sands to one description of crop, namely, grass, as at Craigentinny, of which they proposed to have many different varieties, some being suitable as food for cows, others for fattening cattle, and others for converting into hay. They also proposed to divide the area of the sands into dairy farms of convenient sizes, with a view to supplying the inhabitants of London with pure and wholesome milk and other dairy produce.

During

During the past year the Company have extended the range of their experiments, in order to test more fully the value of the sewage applied to land. Wheat and mangolds, as well as grass, have been tried on the sand with considerable success. A farm of about 210 acres of poor land, with a gravelly subsoil, has also been leased by the Company, with the view of showing the value of sewage applied to crops on the ordinary irrigation system. Much of the land is extremely poor, with the subsoil coming in places almost to the surface. No manure, sheepfold, or fertiliser of any kind, it is stated, was used to put the land in condition for the seed. The surface was laid out with carriers along the highest lines through which the sewage runs from the tank receiving it from the pump, either into furrows and along the ridge lines of wide lands over which it is thus made to trickle, or into channels placed as concentric or contour lines, at intervals of 10 or 15 yards on the natural slope. By the first method ordinary water-meadow irrigation is obtained, by the latter the process called catch-water irrigation.

The principal crop grown is Italian rye grass, and it is stated that, on one piece which was sown in August 1866, and which has received about 4,000 tons of sewage per acre, the crops cut were as follows:—eight tons per acre early in April, 10 tons in the middle of May, and about 12 tons in the week ending the 22nd of June. On other pieces the crops were even heavier.

It appears, also, that great success has attended the growth of mangolds, potatoes, flax, lucerne, cabbage, celery, and strawberries. One of the most promising experiments, however, is in the case of a wheat crop: two parts of a field with a poor soil have been treated with sewage; in both, the stalks of the plants stand strong and thick, with ears plentiful and large, and the area of these plots and the other parts is clearly traceable by the state of the crops. The sewage, it appears, was poured upon them three or four times during the early growth of the crops.

The Company are also making an experiment in cowkeeping, with a view to the requirements of the London market. Upwards of 250 milch cows are kept in sheds constructed on the most approved principles; the cows are fed on grass and other produce raised by means of irrigation on the farm; the daily consumption of the produce is, of course, considerable, but a large surplus of grass is left, and is supplied to horsekeepers in the metropolis.

These experiments are, no doubt, of considerable importance, as they must in the end show the real commercial value of the sewage; and, looking to what has already been done, there seems good reason to hope that success will attend this enterprise, and that eventually it will be found that sewage irrigation is not only a proper thing, but a profitable application of that which has hitherto run to waste.

South Side of the Thames.

The Board reported last year the reception of tenders, for a concession of the southern sewage, from Mr. Rigby Wason, Mr. George Shepherd, Mr. C. F. Kirkman, Mr. R. Smith, and Mr. T. Ellis, and that, after careful examination, they found that none of them complied strictly with the terms of the advertisement; that they were for the most part suggestions, unaccompanied by plans, sections, or other particulars, and that, consequently, they had experienced considerable difficulty in forming a judgment of their relative merits; but that they were of opinion that the tender of Mr. T. Ellis, so far as his general scheme was concerned, offered the greatest advantages, but that he should be required to form a reservoir at the outfall, on the principle of that at Crossness, to discharge at high water; and, with this suggestion, the tender was referred to a committee to negotiate the precise terms on which a concession should be granted to Mr. Ellis.

The committee had several interviews with Mr. Ellis and his supporters, and it was ultimately found that, owing to the state of the money market, in consequence of the financial crisis which had taken place, there was no hope of his being able to raise the necessary funds for carrying out his project, and the Board consequently determined to advertise for fresh tenders. Accordingly, on the 2nd November 1866, the Board approved a form of advertisement, which was inserted in the leading London and one of the principal Scotch papers.

On the 1st March 1867, six tenders were received by the Board from the undermentioned parties:—Mr. R. Smith, 8, Roman-terrace, Roman-road, Barnsbury Park; Mr. C. F. Kirkman, 43, Parliament-street; Mr. John James Moore. Great Meadow, Castle Town, Isle of Man; Mr. F. W. Sheilds, 3, Delahay-street, Westminster; Mr. George Shepherd, 26, Throgmorton-street; Mr. Thomas Ellis, 76, Warwick-square, Belgravia; and the Board thereupon directed the tenders to be printed, and copies sent to the members of the Board, and referred them to the Works and General Purposes Committee for consideration and report.

Mr. R. Smith's tender is a modification of that described in the last Report of the Board. He then proposed to force the sewage to pumping stations at Deptford and Erith, and thence to reservoirs, to contain about 220,000 gallons each, at West Wood, Hayes Common, Bagshot Heath, and Leatherhead Common. The sewage he proposed to use partly by means of catch-water irrigation, and partly by hose and jet. He also proposed to form osier beds for the filtration of the residue of sewage water after the irrigation of the higher levels, so that it might run into the various streams clear and inoffensive. The cost of carrying out this scheme was estimated at about 400,000 *l.*; and Mr. Smith asked for a 60 years' lease of the sewage, on the understanding that the Board

Appendix.

should receive 2½ per cent. profit after the shareholders had received 7½ per cent. Any profit beyond this 10 per cent. to be divided equally between the Company and the Board Mr. Smith now modifies his previous tender by abandoning, for the present, his mains to Bostall Heath and Hayes Common, and adding a new line from Crossness to Dagenham Saltings. Along this line it appears to be Mr. Smith's intention to utilize the storm overflow of the metropolis, and the sewage of Dartford, Gravesend, and other towns; and to distribute the dry-weather flow of the metropolis over the commons and waste lands of the western district. He stipulates for a payment of one halfpenny per ton for any water, except sewage water, admitted into the sewers. The terms he proposes are generally those of his previous tender.

Mr. Kirkman's tender is substantially the same as that sent in last year. He proposes to adopt the solid or dry system; to take the sewage from the Crossness Pumping Station, to deodorize it and separate the liquid from the solid, the liquid to be discharged through channels into the river, if necessary, and the solid matter to be removed without nuisance. He asks for a concession for 21 years, to date from the completion of the works. For the first seven years of the term a nominal rent is proposed to be reserved, subject to a rent or royalty for the remaining 14 years; such rent to be determined by the Secretary of State or First Commissioner of Works, on the basis of effective production.

Mr. Moore repeats his former proposal, which was to pay the Board one farthing per ton for pumping the sewage by their engines to the height required for its transmission to the land, which he fixes at 200 feet; thus he is of opinion that two most desirable objects would be effected, namely, the obtaining payment for the sewage at the very small outlay required for working the Board's surplus engine power, and also leaving power available on all occasions to prevent the inundation of the low grounds, so subject to flooding, on the south side of the Thames.

Mr. Sheilds proposes to utilize the sewage over the marsh lands from Crossness to the Isle of Grain, by extending the outfall sewer to Cliffe, where he proposes to lift the sewage about 30 feet, and to convey it thence by a covered channel, and an embankment along the marshes, to the extremity of the Isle of Grain. He also submits, as an alternative proposition, the substitution of iron pipes to the Isle of Grain, and thence to the outlet, and to force the sewage through these pipes, by pumping to a height of 50 feet. He further proposes to purchase about 5,000 acres of land below Gravesend, and suggests that there are about 1,200 acres of saltings, adjacent to the Isle of Grain, available for reclamation at a moderate expense, and that there are 3,000 acres in the Woolwich and Dartford Marshes, and in those below Gravesend, besides 9,000 acres in the Isle of Grain, available for irrigation, and that, if the iron pipe alternatively be adopted, this area can be extended.

Mr. Sheilds points out the advantages which his scheme presents from the low level of the lands through which his conduit would pass, and of that over which he proposes to distribute the sewage. That these lands are unoccupied by habitations, and that the proximity of the North Kent Railway offers facilities for the conveyance of produce to the metropolis. He estimates the entire cost of his scheme at 1,200,000 *l.*, including the acquisition of the 5,000 acres of land above referred to, and the drainage and preparation of the lands to be irrigated. He is of opinion that this estimate will not be materially affected by the adoption of either of the systems he has submitted.

Mr. Shepherd asks the Board to accept his previous tender, the main features of which were as follows:—

To pump the sewage undeodorized at Deptford and Crossness to various elevations, the maximum being about 400 feet, with a view to the irrigation of the high lands, for which he considers the sewage to be most in demand. He also proposes to form a system of about 20 distinct reservoirs, into which the sewage, after being pumped to the summit level, would flow by gravitation through pipes laid along the public roads. Each of these reservoirs, he calculates, would irrigate from four to five square miles. He also proposes to purchase the Board's pumping stations at Crossness and Deptford, and, further, to collect the sewage of every town near London. He estimates the quantity of the southern sewage at 55,000 tons daily, which he is of opinion may be diluted with 60 or 70 million tons of water. This he proposes to distribute over from 40,000 to 50,000 acres, at the rate of 300 tons per acre at each dressing. Mr. Shepherd limits the capital to be raised for carrying out his scheme to 600,000 *l.*, and he estimates the profit to be derived from the undertaking at 10 per cent. He does not, however, say how he proposes to apportion it.

Mr. Ellis states that his plan for the utilization of the southern sewage, submitted with his second tender, is the same as that sent into the Board last year, with the exception that an outfall reservoir, as required by the Board, is added, and that the estimates also have been consequently modified; and he tenders for a concession of the sewage for such term of years, and upon such conditions as the Board, upon consideration, shall think proper to grant.

With the addition just mentioned, Mr. Ellis's plan contemplates the construction of a brick culvert, 11 feet 6 inches in diameter, from the Crossness Reservoir to Higham Creek, about three miles below Gravesend. This would take the drainage from Erith, Dartford,

Dartford, and Gravesend, and discharge into the river at low water by gravitation. Near the outfall, a pumping station is proposed to be erected to force the sewage by means of a culvert to a summit reservoir on Shorne Hill, at an elevation of 280 feet, and at a distance of two miles from the outfall. From this reservoir the sewage would be distributed, by means of pipes laid under the roads, over an area of about 196,000 acres. It is also contemplated to distribute the sewage by hose and jet, or by open channels, at convenient points along the line of the pipes. It is further proposed to take on lease about 4,000 acres of land, to be cultivated by the Company, on which any excess of sewage might be used.

The assumed quantity of sewage to be dealt with is about nine and a half million cubic feet per diem, or 98 million tons per annum. This quantity is calculated to give 500 tons per acre for each acre of the area over which it is proposed to use it.

The estimates for the works, as revised by Mr. Ellis for his second tender, are as follows:—

	£.
Conduit - - - - - -	430,000
Engines and buildings - - - -	227,880
Pumping mains - - - - -	71,040
Summit reservoir - - - - -	125,000
Outfall reservoir and works for the manufacture of superphosphate of lime.	200,000
Distributing mains - - - -	620,568
Reserve area - - - - -	70,000
	1,744,488
Contingencies, 10 per cent. - - -	174,448
£.	1,918,936

He estimates the cost of working the engines for the lift to the summit reservoir at the rate of 7-10ths of a farthing per ton, including every expense, on which basis the cost of lifting 98,019,326 tons 300 feet vertical would be 68,614 *l.*, which is the estimated annual expense under this head.

These several tenders have been carefully examined as to their engineering details, and reported on by the engineer of the Board, and have been considered by a committee of the whole Board on several occasions.

The committee have also had an interview with one of the parties tendering, but up to the date of this Report they have been unable to come to any definite arrangement, and it is feared that, owing to the condition of the money market, and the consequent difficulty in raising funds for carrying out works by public companies, no steps will be taken in the ensuing Session.

REPORT, 1867–8.

Utilization of the Sewage.

North Side of the Thames.

In the year 1865 the Board granted to the Metropolis Sewage and Essex Reclamation Company a concession of the sewage of the northern part of the metropolis for a period of 50 years, subject to certain terms and conditions which, in the interests of the ratepayers, they considered it desirable to impose. The sewage irrigating operations at Barking, which the Board described somewhat fully in their last Report, have been continued by the Company as experiments during the past year, and they have recently sent for the Board's inspection duplicate samples of some of their crops which they have exhibited at various Agricultural Shows, and which it is stated are quite unprecedented. The sample of wheat sent to the Board was grown on land which bore a wheat crop last season, and the oats were produced by means of the unexhausted manure remaining in the land after 4,000 tons of sewage per acre had been applied to it last year, the same land having produced 71 tons of grass per acre last season. The results obtained by these operations have so far tended to confirm the previously expressed opinion of the Board with regard to the value of the sewage as a fertilizer of the soil; the question as to its value in a commercial point of view, however, is one which still remains to be solved.

One of the stipulations of the concession above referred to is that the Company shall within four years construct and complete certain brick culverts and works for conveying the sewage from the Main Drainage Outfalls to the Maplin Sands on the Essex coast for the purposes of irrigation, and they have deposited with the Board, in pursuance of the agreement, a sum of 25,000 *l.* as a guarantee for the due execution of such works. Recently the Board's attention has been directed to the circumstance that the construction of these works has been in abeyance for some time, and they have referred it to one of their committees to inquire and report as to the position of the Company and the present con-

Appendix.

dition of their works. The Board have also, under the power given by their agreement, instructed their accountant, who is one of the auditors of the Company, to investigate the Company's accounts, and to report generally as to their financial proceedings.

South Side of the Thames.

The Board in their last Report stated that propositions for utilizing the southern sewage had been made to them by the following parties:—viz., Mr. R. Smith, Mr. C. F. Kirkman, Mr. J. J. Moore, Mr. F. W. Sheilds, Mr. Geo. Shepherd, and Mr. Thos. Ellis: that they had referred these proposals to a committee for consideration and report, that the committee had on several occasions considered them, but that up to the date of that Report the committee had been unable to come to any definite arrangement, and that the Board feared that, owing to the condition of the money market, and the consequent difficulty in raising funds for carrying out works by public companies, no Parliamentary steps would be taken in the Session of 1868 for dealing with the question. This anticipation has been fulfilled, and at the present time the subject of dealing with the southern sewage remains undisposed of, but the Board are not without hope that the delay will ultimately afford the means of obtaining experience as to the most profitable mode of utilizing the sewage.*

REPORT, 1868-9.

Utilization of Sewage.

North Side of the Thames.

It will be remembered that in the year 1865 the Board granted a concession of the sewage of the northern portion of the metropolis to the Metropolis Sewage and Essex Reclamation Company, upon the understanding that the Company would construct culverts for the purpose of conveying the sewage from the outfalls at Barking Creek, for distribution on sands to be reclaimed from the sea at Maplin on the Essex coast; and that the Company deposited with the Board the sum of 25,000 *l.* as a guarantee for the due execution of the works within four years from the passing of the Act; that is to say, the works were to be completed by June in the present year; but by an amending Act which the Company obtained in 1866, the time for the completion of the works was extended till July 1870.

The Company entered into a contract for the construction of the culvert to convey the sewage to Maplin, in accordance with their agreement with the Board, and a portion of the culvert was constructed. The Board, however, regret to state that the Company have not been able to continue the works.

South Side of the Thames.

At the date of their last Report, the Board had before them proposals from certain persons who were desirous of obtaining the concession of the southern sewage. The Board then stated that active steps in the matter had been delayed in consequence of the difficulty experienced in raising funds for public companies. Those proposals were the subject of a report of a committee to the Board on the 8th January in the present year. The committee stated that many circumstances tended to prevent their recommending the acceptance of either of the proposals. Mainly, however, this result was attributed to the financial depression consequent on the crisis of 1866, which more or less affected adversely all commercial schemes, but particularly such as partook of a new or experimental character. The committee stated that they had several times adjourned the consideration of the tenders in the hope that the Board might be able to deal satisfactorily with them, but as that was not the case, and as the works of the Company who had the concession of the sewage on the north side of the Thames had been for some time in abeyance, it appeared desirable to postpone for the present the consideration of the question of the southern sewage.

The Board, however, trust that this postponement of the question will be only temporary, and that a revival of enterprise and the re-establishment of more favourable financial conditions will enable the subject to be successfully dealt with at some future period.

---

* It may be useful here to observe that the recent statutes of 1865, 1866, and 1868, for promoting the utilization of sewage by the various local authorities in towns and other places, are causing an active and practical degree of attention to be given to this important subject, which must, ere long, beneficially influence the question as it affects the metropolis.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

THAMES NAVIGATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed*,
30 *May* 1870.

261.

Under 8 *oz.*